

Rep. Beth McCann, HD-8

2014 Legislative Bills That Will Become Law

Consumer Protection:

After three years of trying, I finally was able to get two important consumer protection bills passed for those facing the dire circumstance of possibly losing a home through foreclosure. These bills will provide some relief to those in this unfortunate circumstance.

Foreclosure - Remit Unpaid Fees to Borrower -HB 1130

This bill provides borrowers who want to "cure" a default with protection by requiring that any excess money that a borrower provides over the amount that is required is returned to the borrower not given to the lender. The public trustees, who administer the foreclosure process, were very helpful in drafting this bill.

Foreclosure - Single Point of Contact and Dual Tracking -HB 1295

This bill is more complex and addresses essentially two areas: one, the bill requires that if a borrower wants to negotiate a loan modification, the lender must establish a single point of contact for the borrower. The borrower will not be shuffled from office to office or company to company when he/she is trying to negotiate a loan modification. It also prohibits "dual tracking" which occurs when a lender forecloses on a property even though the borrower is in a loan modification and is making the payments. The bill provides a remedy to the borrower if this is occurring by allowing the public trustee to stop the foreclosure process.

Health Care:

Prescription Drug Monitoring Program - HB 1283

Prescription drug overuse and misuse has become a growing problem in Colorado. Prescription drug abuse results in more deaths nationally than traffic accidents! This bill strengthens the existing prescription drug-monitoring program by requiring all licensed professionals who dispense narcotics, including physicians and pharmacists, to have an account with the drug monitoring program. Medical providers and their designees will have access to the data to make sure their patients are not getting prescriptions from several doctors or emergency rooms. The bill also allows the Department of Regulatory Affairs, which operates the program, to send notices to providers when their patients are getting multiple prescriptions for scheduled drugs so that they can assist the patients who need help in treating their addiction. The bill is the result of a large stakeholder group and is supported by the Governor's office, the pharmacists, and the medical providers.

Continuation of Addiction Treatment Programs - HB 1173

Currently, the state licenses addiction treatment programs, some of which distribute methadone. The authority to continue licensing is set to expire this year and this bill will extend that authority for another 5 years.

Pediatric Dental Benefits - HB 1053

Due to a wrinkle in federal law, there was inconsistency between insurance plans offered inside and outside of the Colorado Health Exchange, Connect for Health Colorado. The bill will make sure that pediatric dental benefits are included in plans within and outside of the exchange. Both the insurance industry and the consumer advocates supported this bi-partisan bill.

Compounding Drugs for Hospitals – SB 95

Pharmacies can tailor drugs for patients who might need a different formula to fit their needs, such as changing a drug from pill to liquid form. Under current law, prescription drug outlets can only compound drugs for office use by a medical practitioner. The bill allows prescription drug outlets to also compound drugs for hospitals. This is an important bill to provide quicker access by patients for life saving drugs.

Criminal Justice:

Human Trafficking HB-1273

This bill strengthens Colorado's criminal laws by bringing them in line with recommendations of the Uniform Commission on State Laws. It extends the protections of the Rape Shield Law to victims of human trafficking and clarifies that ignorance of the age of the victim or consent of the victim is not a legal defense. It creates the Human Council on Human Trafficking to coordinate efforts in this area and develop standards and curriculum for law enforcement and victim services groups. I am grateful for the widespread support from law enforcement and many non-profit groups working in this area. Human trafficking continues to be a widespread and despicable practice that must be stopped!

Unauthorized Advertising for Adoption Purposes – HB 1372

The bill prohibits advertising through a public medium for the purposes of placing a child for adoption or finding a child to adopt. Licensed adoption agencies are exempt. The crime will be considered a Class 6 felony.

Criminal statute on Value Based Crimes - HB 1266

This bill creates uniformity in terms of the penalties for certain crimes based on the value of an item stolen or damaged. The Colorado Commission on Criminal and Juvenile Justice recommended these changes.

Miscellaneous McCann Bills:

Emergency Care for Dogs and Cats - SB 39. This bill allows first responders to administer critical care to our furry family members in an emergency.

School Safety Month - SJR 31. Designates the month of October as School Safety Month to highlight the importance of a positive school climate and school safety measures.

Sometimes Good Bills Don't Make It!

Involuntary Civil Commitments - HB 1253 and HB 1386

Last legislative session I sponsored a bill creating a task force to look at the involuntary civil commitment process in Colorado. This is the process by which those struggling with addiction or mental health issues can be committed to the hospital against their will to prevent harm to themselves or others. The task force recommended new definitions for the involuntary commitment terms “gravely disabled” and “a danger to themselves or others” that were more precise and easily understood by practitioners. The task force also recommended that the alcohol, drug abuse, and mental health commitment laws be structured similarly to one another in order to clarify the involuntary commitment process for consumers and practitioners alike. The original bill, HB 1253, ran into controversy from those in the gun rights community who felt it was an effort to interfere with gun rights, despite the fact that it did not change the gun laws in any way. That bill was laid to rest, and another with just the definitions was introduced by two of my colleagues. Ultimately, the bill failed in the Senate. This is a very important, but very delicate, subject that the task force will take up again over the summer and fall.

No Tobacco Sales to People Under Age 21 – HB 1263

My goal was to prevent at least some young people from starting to smoke in the first place. Studies show that smokers generally start the habit as teenagers. Sadly, the bill never made it out of the House.

Renewable Energy Tax Credit – HB 1305

Renewable energy companies that locate in enterprise zones are entitled to certain tax credits. The bill would have allowed a company to redeem the credits for a discounted cash payment from the state up to \$5 million per year if the money was reinvested in renewable energy development. This bill also failed in the House.

Questions, comments or suggestions? Please don't hesitate to contact me at:
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