Synopsis

I. Colorado Law:

A. Any licensee who attends or treats any injury that the licensee has reason to believe resulted from domestic violence may, but is NOT required to, reported to law enforcement so long as:

   a. The victim of the injury is at least eighteen years of age and indicates his or her preference that the injury not be reported; and

   b. The injury does not involve bullet wounds, gunshot wounds, powder burns, or any other injuries arising from the discharge of a firearm, or any injury caused by a knife, an ice pick, or any other sharp or pointed instrument which the physician believes to have been intentionally inflicted upon a person or a serious bodily injury. (C.R.S. §§12-36-135; 18-1-901).

If a licensee does not report an injury pursuant to a victim’s request, the licensee shall document the victim’s request in the victim’s medical record.

*If either/both of these are present, there is still a mandate to report and an obligation to let the patient know you are reporting.

- If the injury involves bullet wounds, gunshot wounds, powder burns, or any other injuries arising from the discharge of a firearm, or any injury caused by a knife, an ice pick, or any other sharp or pointed instrument which the physician believes to have been intentionally inflicted upon a person or a serious bodily injury (see below), it must be reported.

- **Serious Bodily Injury (SBI):** A bodily injury which, either at the time of the actual injury or at a later time, involved a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

Definitions:

**Domestic violence:** an act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic violence also includes any other crime against a person or any municipal ordinance violation against a person when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

**Intimate relationship:** a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

**Serious Bodily injury:** a bodily injury which, either at the time of the actual injury or at a later time, involved a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

**Licensee:** any physician, physician assistant, or anesthesiologist assistant who is licensed to practice medicine in Colorado.