I. Civil Statute Protecting Dependent Adults or Elders from Neglect or Abuse: None

A. Vulnerable Adults

“At-risk adult” means any person who is seventy years of age or older or any person who is eighteen years of age or older and is a person with a disability.


C. Persons/Entities Excluded From Statute: None

D. Reporting Requirement for Litigation to State: None

E. Preclusion of Arbitration

Any agreement for the provision of medical services which contains a provision for binding arbitration of any dispute as to professional negligence of a health care provider that conforms to the provisions of Colo. Rev. Stat. § 13-64-103 shall be enforceable.

F. Relationship to Medical Malpractice actions

There is no elder abuse legislation in Colorado that affects medical malpractice actions.

G. Criminal Provision

Any person who knowingly commits caretaker neglect against an at-risk elder, or knowingly acts in a manner likely to be injurious to the physical or mental welfare of an at-risk adult commits a class 1 misdemeanor.

Colo. Rev. Stat. § 18-6.5-103 et seq.

Interplay with State Civil Statute: No Civil Statute.


J. Can Regulations Establish Standard of Care: No
II. DAMAGES

A. Damages Available
   1. Actual Damages
   2. Special Damages
   3. Punitive Damages
   4. Injunctive Relief
   5. Costs of Suit

B. Does Pain and Suffering of Decedent/Resident Survive Death:

C. Attorney’s Fees Available: No.
   1. If available, are the attorney’s fees limited?

III. LEGISLATION AFFECTING STATUTE

A. Pending: None

B. Anticipated: None