

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0773.01 Christy Chase x2008

SENATE BILL 20-022

SENATE SPONSORSHIP

Danielson,

HOUSE SPONSORSHIP

Titone and Duran,

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE COLORADO HEALTH SERVICE**
102 **CORPS PROGRAM ADMINISTERED BY THE DEPARTMENT OF**
103 **PUBLIC HEALTH AND ENVIRONMENT TO EXPAND THE**
104 **AVAILABILITY OF GERIATRIC CARE PROVIDERS IN SHORTAGE**
105 **AREAS IN THE STATE, AND, IN CONNECTION THEREWITH, MAKING**
106 **AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill modifies the Colorado health service corps program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

administered by the primary care office (office) in the department of public health and environment, which includes a loan repayment program, as follows:

- ! Allows geriatric advanced practice providers, which include advanced practice nurses and physician assistants, to participate in the loan repayment program on the condition of committing to provide geriatric care to older adults in health professional shortage areas for a specified period; and
- ! Requires the general assembly to annually and continuously appropriate money from the general fund to the office for the 2020-21 through the 2024-25 fiscal years to help repay loans for geriatric advanced practice providers.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-1.5-501, **amend**
3 (1) and (2) as follows:

4 **25-1.5-501. Legislative declaration.** (1) The general assembly
5 hereby finds that there are areas of Colorado that suffer from a lack of
6 health care professionals, GERIATRIC ADVANCED PRACTICE PROVIDERS, or
7 behavioral health care providers to serve, and a lack of nursing or other
8 health care professional faculty to train health care professionals to meet,
9 the medical and behavioral health care needs of communities. The general
10 assembly further finds that the state needs to implement incentives to
11 encourage health care professionals, GERIATRIC ADVANCED PRACTICE
12 PROVIDERS, and behavioral health care providers to practice in these
13 underserved areas and to encourage nursing faculty and other health care
14 professional faculty to teach health care professionals.

15 (2) It is therefore the intent of the general assembly in enacting
16 this part 5 to create a state health service corps program that uses state
17 money, federal money, when permissible, and contributions from
18 communities and private sources to help repay the outstanding education

1 loans that many health care professionals, GERIATRIC ADVANCED
2 PRACTICE PROVIDERS, behavioral health care providers, candidates for
3 licensure, nursing faculty, and health care professional faculty hold. In
4 exchange for repayment of loans incurred for the purpose of obtaining
5 education in their chosen health care, GERIATRIC CARE, and behavioral
6 health care professions, the health care professionals, GERIATRIC
7 ADVANCED PRACTICE PROVIDERS, behavioral health care providers, and
8 candidates for licensure will commit to provide health care, GERIATRIC
9 CARE, or behavioral health care services, as applicable, in communities
10 with underserved health care, GERIATRIC CARE, or behavioral health care
11 needs throughout the state, and the nursing and health care professional
12 faculty will commit to provide a specified period of service in a qualified
13 faculty position.

14 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-502, **amend**
15 (1) and (13); and **add** (1.2), (4.3), (4.5), and (8.5) as follows:

16 **25-1.5-502. Definitions.** As used in this part 5, unless the context
17 otherwise requires:

18 (1) ~~"Advisory council" means the Colorado health service corps~~
19 ~~advisory council created pursuant to section 25-1.5-504~~ "ADVANCED
20 PRACTICE PROVIDER" MEANS AN ADVANCED PRACTICE NURSE, AS DEFINED
21 IN SECTION 12-255-104 (1), OR A PHYSICIAN ASSISTANT LICENSED
22 PURSUANT TO ARTICLE 240 OF TITLE 12.

23 (1.2) "ADVISORY COUNCIL" MEANS THE COLORADO HEALTH
24 SERVICE CORPS ADVISORY COUNCIL CREATED PURSUANT TO SECTION
25 25-1.5-504.

26 (4.3) "GERIATRIC ADVANCED PRACTICE PROVIDER" MEANS AN
27 ADVANCED PRACTICE PROVIDER WHO SATISFIES ONE OF THE FOLLOWING:

1 (a) HAS COMPLETED A FORMAL POSTGRADUATE GERIATRICS
2 TRAINING PROGRAM CONSISTING OF:

3 (I) AT LEAST SIX MONTHS OF INTENSIVE POSTGRADUATE TEACHING
4 IN GERIATRIC SYNDROMES AND THE IMPORTANCE OF PHYSICAL AND
5 COGNITIVE FUNCTION IN THE CARE OF OLDER ADULTS; AND

6 (II) A CLINICAL GERIATRIC EXPERIENCE WITH A PRIMARY CARE
7 PANEL COMPRISED EXCLUSIVELY OF OLDER ADULTS, SEVENTY-FIVE
8 PERCENT OF WHICH CLINICAL EXPERIENCE MUST BE OBTAINED IN
9 OUTPATIENT, POST-ACUTE, OR HOME-BASED SETTINGS AND WHICH MAY
10 INCLUDE NO MORE THAN A TOTAL OF TWENTY-FIVE PERCENT OF THE
11 EXPERIENCE TIME IN THE INPATIENT OR HOSPICE SETTINGS;

12 (b) HAS COMPLETED:

13 (I) FORMAL GERIATRICS TRAINING WITHIN THE ADVANCED
14 PRACTICE PROVIDER TRAINING PROGRAM, WHICH INCLUDES DIDACTIC
15 TEACHING OR TRAINING ABOUT GERIATRIC SYNDROMES AND THE
16 IMPORTANCE OF PHYSICAL AND COGNITIVE FUNCTION IN THE CARE OF
17 OLDER ADULTS; AND

18 (II) AT LEAST TWELVE MONTHS OF POSTGRADUATE CLINICAL
19 EXPERIENCE, WITH AT LEAST FIFTY PERCENT OF CLINICAL TIME SPENT
20 PROVIDING GERIATRIC CARE;

21 (c) HAS COMPLETED AT LEAST TWENTY-FOUR MONTHS OF
22 POSTGRADUATE CLINICAL EXPERIENCE, WITH AT LEAST FIFTY PERCENT OF
23 CLINICAL TIME SPENT PROVIDING GERIATRIC CARE; OR

24 (d) HAS COMPLETED A GERIATRIC TRACK CLINICAL EXPERIENCE
25 DURING THE ADVANCED PRACTICE PROVIDER TRAINING PROGRAM, WITH
26 AT LEAST FIFTY PERCENT OF CLINICAL TRAINING TIME SPENT PROVIDING
27 GERIATRIC CARE.

1 (4.5) "GERIATRIC CARE" MEANS HEALTH CARE THAT IS PROVIDED
2 TO OLDER ADULTS, INCLUDING CARE PROVIDED IN OUTPATIENT,
3 POST-ACUTE, OR HOME-BASED SETTINGS, THAT FOCUSES ON IDENTIFYING
4 AND MANAGING GERIATRIC SYNDROMES AND THE IMPORTANCE OF THE
5 OLDER ADULT'S PHYSICAL AND COGNITIVE FUNCTIONAL STATUS.
6 "GERIATRIC CARE" DOES NOT INCLUDE HOSPICE-ONLY CARE.

7 (8.5) "OLDER ADULT" MEANS AN INDIVIDUAL WHO IS AT LEAST
8 SIXTY-FIVE YEARS OF AGE.

9 (13) "State-designated health professional shortage area" means
10 an area of the state designated by the primary care office, in accordance
11 with state-specific methodologies established by the state board by rule
12 pursuant to section 25-1.5-404 (1)(a), as experiencing a shortage of health
13 care professionals, GERIATRIC ADVANCED PRACTICE PROVIDERS, or
14 behavioral health care providers.

15 **SECTION 3.** In Colorado Revised Statutes, 25-1.5-503, **amend**
16 (1)(a)(I)(B), (1)(a)(I)(C), (1)(a)(II), (1)(b), (1)(c), (2), and (6); and **add**
17 (1)(a)(I)(D), (1)(a)(III)(C), (1)(d)(IV), and (5)(c) as follows:

18 **25-1.5-503. Colorado health service corps - program - creation**
19 **- conditions.** (1) (a) (I) The primary care office shall maintain and
20 administer, subject to available appropriations, the Colorado health
21 service corps. Subject to available appropriations, the Colorado health
22 service corps shall provide loan repayment for certain eligible:

23 (B) Nursing faculty or health care professional faculty members
24 in qualified faculty positions; **and**

25 (C) Behavioral health care providers and candidates for licensure
26 who provide behavioral health care services; **AND**

27 (D) GERIATRIC ADVANCED PRACTICE PROVIDERS.

1 (II) Under the Colorado health service corps, subject to the
2 limitations specified in subsection (2) of this section, upon entering into
3 a loan contract the state may either:

4 (A) Make payments on the education loans of the health care
5 professional, behavioral health care provider, candidate for licensure,
6 GERIATRIC ADVANCED PRACTICE PROVIDER, nursing faculty member, or
7 health care professional faculty member; or

8 (B) Agree to make an advance payment in a lump sum of all or
9 part of the principal, interest, and related expenses of the education loans
10 of health care professionals, behavioral health care providers, candidates
11 for licensure, GERIATRIC ADVANCED PRACTICE PROVIDERS, nursing faculty
12 members, or health care professional faculty members, subject to the
13 limitations specified in subsection (2) of this section.

14 (III)(C) IN CONSIDERATION FOR RECEIVING REPAYMENT OF ALL OR
15 PART OF A GERIATRIC ADVANCED PRACTICE PROVIDER'S EDUCATION LOAN,
16 THE GERIATRIC ADVANCED PRACTICE PROVIDER SHALL AGREE TO SPEND
17 AT LEAST FIFTY PERCENT OF THE PROVIDER'S TIME PROVIDING GERIATRIC
18 CARE IN HEALTH PROFESSIONAL SHORTAGE AREAS IN COLORADO.

19 (b) Repayment of loans under the Colorado health service corps
20 may be made using money in the Colorado health service corps fund. The
21 primary care office is authorized to receive and expend gifts, grants, and
22 donations or money appropriated by the general assembly for the purpose
23 of implementing the Colorado health service corps. In administering the
24 Colorado health service corps, the primary care office shall collaborate
25 with appropriate partners as needed to maximize the federal money
26 available to the state for state loan repayment programs through the
27 federal department of health and human services. The selection of health

1 care professionals, behavioral health care providers, candidates for
2 licensure, GERIATRIC ADVANCED PRACTICE PROVIDERS, nursing faculty
3 members, and health care professional faculty members for participation
4 in the Colorado health service corps is exempt from the competitive
5 bidding requirements of the "Procurement Code", articles 101 to 112 of
6 title 24.

7 (c) The following providers are not eligible for loan repayment
8 through the Colorado health service corps:

9 (I) Health care professionals who are not practicing in primary
10 care specialties or providing primary health services; ~~and~~

11 (II) Behavioral health care providers and candidates for licensure
12 who are not providing behavioral health care services; AND

13 (III) GERIATRIC ADVANCED PRACTICE PROVIDERS WHO ARE NOT
14 PROVIDING GERIATRIC CARE IN ACCORDANCE WITH SUBSECTION
15 (1)(a)(III)(C) OF THIS SECTION.

16 (d) (IV) AS A CONDITION OF RECEIVING A LOAN REPAYMENT
17 THROUGH THE COLORADO HEALTH SERVICE CORPS, A GERIATRIC
18 ADVANCED PRACTICE PROVIDER MUST ENTER INTO A CONTRACT PURSUANT
19 TO WHICH THE GERIATRIC ADVANCED PRACTICE PROVIDER AGREES TO
20 PROVIDE GERIATRIC CARE FOR AT LEAST TWO YEARS IN A COMMUNITY
21 THAT IS LOCATED IN A HEALTH PROFESSIONAL SHORTAGE AREA. THE
22 GERIATRIC ADVANCED PRACTICE PROVIDER, THE PRIMARY CARE OFFICE,
23 AND THE COMMUNITY EMPLOYER WITH WHICH THE GERIATRIC ADVANCED
24 PRACTICE PROVIDER IS PRACTICING MUST BE PARTIES TO THE CONTRACT.

25 (2) Subject to available appropriations, the primary care office
26 shall annually select health care professionals, behavioral health care
27 providers, candidates for licensure, GERIATRIC ADVANCED PRACTICE

1 PROVIDERS, nursing faculty members, and health care professional
2 members from the list provided by the advisory council pursuant to
3 section 25-1.5-504 (5)(a) to participate in the Colorado health service
4 corps.

5 (5)(c) FOR A GERIATRIC ADVANCED PRACTICE PROVIDER APPLYING
6 TO PARTICIPATE IN THE COLORADO HEALTH SERVICE CORPS, THE
7 ADVISORY COUNCIL SHALL PRIORITIZE GERIATRIC ADVANCED PRACTICE
8 PROVIDER APPLICANTS WHO ARE:

9 (I) PROVIDING GERIATRIC CARE IN A RURAL SETTING, BUT THE
10 ADVISORY COUNCIL MAY ALSO CONSIDER APPLICANTS PROVIDING
11 GERIATRIC CARE IN AN UNDERSERVED URBAN SETTING;

12 (II) PRACTICING WITH A NONPROFIT ENTITY, BUT THE ADVISORY
13 COUNCIL MAY ALSO CONSIDER APPLICANTS WHO ARE PRACTICING WITH A
14 FOR-PROFIT ENTITY IF THERE ARE NOT APPROPRIATE POSITIONS AVAILABLE
15 WITH A NONPROFIT ENTITY IN THE AREA BEING SERVED; AND

16 (III) WILLING TO SERVE AS A CLINICAL PRECEPTOR FOR ADVANCED
17 PRACTICE PROVIDERS AND OTHER PROVIDERS SEEKING TRAINING IN
18 GERIATRIC CARE.

19 (6) A contract for loan repayment entered into pursuant to this part
20 5 must not include terms that are more favorable to health care
21 professionals, behavioral health care providers, or candidates for
22 licensure, OR GERIATRIC ADVANCED PRACTICE PROVIDERS than the most
23 favorable terms that the secretary of the federal department of health and
24 human services is authorized to grant under the national health services
25 corps program. In addition, each contract must include penalties for
26 breach of contract that are at least as stringent as those available to the
27 secretary of the federal department of health and human services. In the

1 event of a breach of contract for a loan repayment entered into pursuant
2 to this part 5, the primary care office shall enforce the contract and collect
3 any damages or other penalties owed.

4 **SECTION 4.** In Colorado Revised Statutes, 25-1.5-504, **amend**
5 (2) introductory portion, (2)(n), (2)(o), and (5)(a); and **add** (2)(p) as
6 follows:

7 **25-1.5-504. Colorado health service corps advisory council -**
8 **creation - membership - duties.** (2) The advisory council consists of
9 ~~fifteen~~ SIXTEEN members appointed by the governor as provided in this
10 subsection (2). In appointing members of the advisory council, the
11 governor shall ensure that the advisory council includes at least one
12 representative from each of the following organizations OR PRACTICE
13 AREAS:

14 (n) A membership organization representing substance use
15 disorder service providers; ~~and~~

16 (o) A licensed or certified addiction counselor who has experience
17 in rural health, safety net clinics, or health equity; AND

18 (p) A PHYSICIAN WHO PROVIDES GERIATRIC CARE OR A GERIATRIC
19 ADVANCED PRACTICE PROVIDER.

20 (5) (a) The advisory council shall review applications received
21 from health care professionals, behavioral health care providers,
22 candidates for licensure, GERIATRIC ADVANCED PRACTICE PROVIDERS,
23 nursing faculty members, and health care professional faculty members
24 to participate in the Colorado health service corps. Subject to available
25 appropriations and federal requirements concerning eligibility for federal
26 loan repayment matching funds, the advisory council shall annually select
27 health care professionals, behavioral health care providers, candidates for

1 licensure, GERIATRIC ADVANCED PRACTICE PROVIDERS, nursing faculty
2 members, and health care professional faculty members to participate in
3 the Colorado health service corps and shall forward its list of selected
4 participants to the primary care office.

5 **SECTION 5.** In Colorado Revised Statutes, 25-1.5-505, **amend**
6 (1) introductory portion, (1)(a), and (1)(d) as follows:

7 **25-1.5-505. Advisory council - report.** (1) On or before
8 December 1, 2011, and on or before December 1 every two years
9 thereafter, the primary care office, with assistance from the advisory
10 council, shall submit to the governor, the health and human services
11 committee of the senate, the committees on health AND insurance ~~and~~
12 ~~environment~~ and on public health care and human services of the house
13 of representatives, or any successor committees, a report that includes, at
14 a minimum, the following information:

15 (a) A description of the health care professionals, behavioral
16 health care providers, candidates for licensure, GERIATRIC ADVANCED
17 PRACTICE PROVIDERS, nursing faculty members, and health care
18 professional faculty members participating in the Colorado health service
19 corps program and the scholarship program;

20 (d) An analysis of the effects of the Colorado health service corps
21 program and the scholarship program on addressing the health care,
22 GERIATRIC CARE, and behavioral health care needs of communities in
23 Colorado;

24 **SECTION 6.** In Colorado Revised Statutes, 25-1.5-506, **add** (5)
25 as follows:

26 **25-1.5-506. Colorado health service corps fund - created -**
27 **acceptance of grants and donations - annual appropriation from**

1 **marijuana tax cash fund and general fund - repeal.** (5) (a) FOR THE
2 2020-21 THROUGH THE 2024-25 STATE FISCAL YEARS, THE GENERAL
3 ASSEMBLY SHALL CONTINUOUSLY APPROPRIATE THE FOLLOWING AMOUNTS
4 FROM THE GENERAL FUND TO THE FUND FOR USE IN PROVIDING LOAN
5 REPAYMENTS FOR GERIATRIC ADVANCED PRACTICE PROVIDERS:

6 (I) FOR THE 2020-21 STATE FISCAL YEAR, TWO HUNDRED
7 TWENTY-FIVE THOUSAND DOLLARS;

8 (II) FOR THE 2021-22 STATE FISCAL YEAR, FOUR HUNDRED
9 THOUSAND DOLLARS;

10 (III) FOR THE 2022-23 STATE FISCAL YEAR, FIVE HUNDRED
11 SEVENTY-FIVE THOUSAND DOLLARS;

12 (IV) FOR THE 2023-24 STATE FISCAL YEAR, FOUR HUNDRED FIFTY
13 THOUSAND DOLLARS; AND

14 (V) FOR THE 2024-25 STATE FISCAL YEAR, TWO HUNDRED
15 SEVENTY-FIVE THOUSAND DOLLARS.

16 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
17 2025.

18 **SECTION 7. Appropriation.** For the 2020-21 state fiscal year,
19 \$225,000 is appropriated to the department of public health and
20 environment for use by the prevention services division. This
21 appropriation is from the general fund and is based on an assumption that
22 the division will require an additional 0.8 FTE. The office may use this
23 appropriation for the primary care office.

24 **SECTION 8. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2020 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.