

1 TITLE 25 OR THAT IS CERTIFIED PURSUANT TO SECTION 25-1.5-103
2 (1)(a)(II) AND REGISTERED WITH THE DEPARTMENT OF PUBLIC HEALTH
3 AND ENVIRONMENT AS A NONPROFIT HOSPITAL.

4 (b) NOTWITHSTANDING SUBSECTION (6)(a) OF THIS SECTION,
5 "REPORTING HOSPITAL" DOES NOT INCLUDE A HOSPITAL THAT IS LICENSED
6 AS A GENERAL HOSPITAL WITH THE DEPARTMENT OF PUBLIC HEALTH AND
7 ENVIRONMENT AND THAT IS:

8 (I) NOT CERTIFIED AS A NONPROFIT HOSPITAL;

9 (II) FEDERALLY CERTIFIED, OR UNDERGOING SUCH CERTIFICATION,
10 AS A LONG-TERM HOSPITAL; OR

11 (III) FEDERALLY CERTIFIED, OR UNDERGOING SUCH
12 CERTIFICATION, AS A CRITICAL-ACCESS HOSPITAL PURSUANT TO 42 CFR
13 485 SUBPART F.

14 **25.5-1-702. Hospitals - public community meeting**
15 **requirement.** (1) AT LEAST ONCE EACH YEAR, EACH HOSPITAL SHALL
16 CONVENE A PUBLIC MEETING TO SEEK FEEDBACK REGARDING THE
17 HOSPITAL'S COMMUNITY BENEFIT ACTIVITIES DURING THE PREVIOUS YEAR
18 AND THE HOSPITAL'S COMMUNITY BENEFIT IMPLEMENTATION PLAN FOR
19 THE FOLLOWING YEAR.

20 (2) (a) EACH HOSPITAL SHALL INVITE, AT A MINIMUM,
21 REPRESENTATIVES FROM THE FOLLOWING ENTITIES TO PARTICIPATE IN THE
22 MEETING DESCRIBED IN SUBSECTION (1) OF THIS SECTION, IF ANY SUCH
23 ENTITIES OPERATE IN THE HOSPITAL'S COMMUNITY:

24 (I) LOCAL PUBLIC HEALTH AGENCIES;

25 (II) LOCAL CHAMBERS OF COMMERCE AND ECONOMIC
26 DEVELOPMENT ORGANIZATIONS;

27 (III) LOCAL HEALTH CARE CONSUMER ORGANIZATIONS;

28 (IV) SCHOOL DISTRICTS;

29 (V) COUNTY GOVERNMENTS;

30 (VI) CITY AND TOWN GOVERNMENTS;

31 (VII) COMMUNITY HEALTH CENTERS;

32 (VIII) CERTIFIED RURAL HEALTH CLINICS OR PRIMARY CARE
33 CLINICS LOCATED IN A COUNTY THAT HAS BEEN DESIGNATED BY THE
34 FEDERAL OFFICE OF MANAGEMENT AND BUDGET AS A RURAL OR FRONTIER
35 COUNTY;

36 (IX) AREA AGENCIES ON AGING; AND

37 (X) HEALTH CARE CONSUMER ADVOCACY ORGANIZATIONS.

38 (b) IN ADDITION TO THE ENTITIES DESCRIBED IN SUBSECTION (2)(a)
39 OF THIS SECTION, EACH HOSPITAL SHALL INVITE, AT A MINIMUM,
40 REPRESENTATIVES FROM THE FOLLOWING STATE AGENCIES TO
41 PARTICIPATE IN THE MEETING DESCRIBED IN SUBSECTION (1) OF THIS
42 SECTION:

43 (I) THE STATE DEPARTMENT;

1 (II) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;
2 (III) THE DEPARTMENT OF HUMAN SERVICES;
3 (IV) THE COLORADO COMMISSION ON HIGHER EDUCATION; AND
4 (V) THE OFFICE OF SAVING PEOPLE MONEY ON HEALTH CARE IN
5 THE LIEUTENANT GOVERNOR'S OFFICE.

6 (c) IN ADDITION TO THE ENTITIES DESCRIBED IN SUBSECTIONS
7 (2)(a) AND (2)(b) OF THIS SECTION, EACH HOSPITAL SHALL INVITE THE
8 GENERAL PUBLIC TO THE ANNUAL MEETING DESCRIBED IN SUBSECTION (1)
9 OF THIS SECTION. THE HOSPITAL SHALL ISSUE SUCH INVITATION IN AN
10 ADVERTISEMENT PLACED IN ANY MAJOR NEWSPAPER PUBLISHED IN THE
11 HOSPITAL'S COMMUNITY.

12 (3) TO SATISFY THE REQUIREMENTS OF THIS SECTION, A HOSPITAL
13 MAY CONVENE A JOINT PUBLIC MEETING WITH ONE OR MORE OTHER
14 HOSPITALS THAT SHARE SOME OR ALL OF THE HOSPITAL'S COMMUNITY.

15 **25.5-1-703. Hospitals - community health needs assessments**
16 **- community benefit implementation plans - reports - rules.** (1) ON
17 OR BEFORE A DATE TO BE DETERMINED BY RULES PROMULGATED BY THE
18 STATE BOARD, AND ON OR BEFORE SUCH DATE EVERY THREE YEARS
19 THEREAFTER, EACH REPORTING HOSPITAL SHALL COMPLETE A COMMUNITY
20 HEALTH NEEDS ASSESSMENT.

21 (2) ON OR BEFORE A DATE TO BE DETERMINED BY RULES
22 PROMULGATED BY THE STATE BOARD, AND ON OR BEFORE SUCH DATE
23 EACH YEAR THEREAFTER, EACH REPORTING HOSPITAL SHALL COMPLETE A
24 COMMUNITY BENEFIT IMPLEMENTATION PLAN THAT ADDRESSES THE NEEDS
25 DESCRIBED BY THE REPORTING HOSPITAL'S COMMUNITY HEALTH NEEDS
26 ASSESSMENT.

27 (3) ON OR BEFORE A DATE TO BE DETERMINED BY RULES
28 PROMULGATED BY THE STATE BOARD, AND ON OR BEFORE SUCH DATE
29 EACH YEAR THEREAFTER, EACH REPORTING HOSPITAL SHALL PREPARE AND
30 SUBMIT TO THE STATE DEPARTMENT A COMMUNITY BENEFIT ACTIVITIES
31 REPORT. THE REPORT MUST INCLUDE:

32 (a) THE REPORTING HOSPITAL'S MOST RECENT COMMUNITY HEALTH
33 NEEDS ASSESSMENT COMPLETED PURSUANT TO SUBSECTION (1) OF THIS
34 SECTION;

35 (b) THE REPORTING HOSPITAL'S COMMUNITY BENEFIT
36 IMPLEMENTATION PLAN FOR THE COMING YEAR COMPLETED PURSUANT TO
37 SUBSECTION (2) OF THIS SECTION;

38 (c) A COPY OF THE REPORTING HOSPITAL'S MOST RECENT FORM 990
39 SUBMITTED TO THE FEDERAL INTERNAL REVENUE SERVICE; AND

40 (d) A DESCRIPTION OF CERTAIN SPENDING AND INVESTMENTS
41 MADE BY THE REPORTING HOSPITAL DURING THE PRECEDING YEAR,
42 INCLUDING:

43 (I) A LIST OF THE INVESTMENTS MADE BY THE REPORTING

1 HOSPITAL THAT WERE INCLUDED IN PART I, PART II, AND PART III OF
2 SCHEDULE H OF THE REPORTING HOSPITAL'S FORM 990. FOR EACH SUCH
3 INVESTMENT, THE REPORTING HOSPITAL SHALL:

4 (A) INDICATE THE COST OF THE INVESTMENT;

5 (B) INDICATE WHETHER THE INVESTMENT ADDRESSED A
6 COMMUNITY-IDENTIFIED HEALTH NEED;

7 (C) FOR ANY INVESTMENT THAT ADDRESSED A
8 COMMUNITY-IDENTIFIED HEALTH NEED, IDENTIFY ANY OF THE FOLLOWING
9 CATEGORIES, WHICH MAY BE FURTHER DEFINED BY RULES PROMULGATED
10 BY THE STATE BOARD, THAT ARE APPLICABLE: FREE OR DISCOUNTED
11 HEALTH CARE SERVICES, PROGRAMS THAT ADDRESS HEALTH BEHAVIORS
12 OR RISKS, PROGRAMS THAT ADDRESS THE SOCIAL DETERMINANTS OF
13 HEALTH, AND SUCH OTHER CATEGORIES AS MAY BE DEFINED IN RULES
14 PROMULGATED BY THE STATE BOARD; AND

15 (D) FOR ANY INVESTMENT THAT ADDRESSED A
16 COMMUNITY-IDENTIFIED HEALTH NEED, DESCRIBE AVAILABLE EVIDENCE
17 THAT SHOWS HOW THE INVESTMENT IMPROVES COMMUNITY HEALTH
18 OUTCOMES.

19 (II) THE REPORTING HOSPITAL'S TOTAL EXPENSES INCLUDED IN
20 LINE 18 OF SECTION 1 OF THE FORM 990 SUBMITTED BY THE REPORTING
21 HOSPITAL OR BY THE REPORTING HOSPITAL'S OWNERSHIP ENTITY; AND

22 (III) THE REPORTING HOSPITAL'S REVENUE LESS EXPENSES
23 INCLUDED IN LINE 19 OF SECTION 1 OF THE FORM 990 SUBMITTED BY THE
24 REPORTING HOSPITAL OR BY THE REPORTING HOSPITAL'S OWNERSHIP
25 ENTITY.

26 (4) A REPORTING HOSPITAL THAT PREPARES AND SUBMITS A
27 COMMUNITY BENEFIT ACTIVITIES REPORT PURSUANT TO SUBSECTION (3)
28 OF THIS SECTION SHALL POST THE REPORT TO THE REPORTING HOSPITAL'S
29 PUBLIC WEBSITE.

30 (5) (a) THE STATE BOARD SHALL PROMULGATE RULES
31 ESTABLISHING REPORTING REQUIREMENTS FOR REPORTING HOSPITALS
32 THAT ARE NOT REQUIRED TO COMPLETE SCHEDULE H OF THE FORM 990.
33 THE RULES MUST PROMOTE UNIFORMITY WITH THE REQUIREMENTS SET
34 FORTH IN SUBSECTION (3) OF THIS SECTION.

35 (b) A HOSPITAL DESCRIBED IN SECTION 25.5-1-701 (6)(b) MAY
36 SUBMIT A COMMUNITY BENEFIT ACTIVITIES REPORT THAT IS CONSISTENT
37 WITH THIS SECTION.

38 (6) TO FACILITATE THE SUBMISSION OF THE REPORTS DESCRIBED
39 IN SUBSECTION (3) OF THIS SECTION, THE STATE DEPARTMENT SHALL
40 DEVELOP AND PROVIDE A WEBSITE AT WHICH EACH REPORTING HOSPITAL
41 SHALL SUBMIT THE REPORTS. THE STATE DEPARTMENT SHALL ENSURE
42 THAT THE WEBSITE AND THE REPORTS REMAIN AVAILABLE TO THE PUBLIC.

43 (7) AS PART OF THE REPORT AUTHORIZED IN SECTION 25.5-4-402.8,

1 THE STATE DEPARTMENT SHALL INCLUDE A SUMMARY OF THE COMMUNITY
2 BENEFIT ACTIVITIES REPORTS SUBMITTED TO THE STATE DEPARTMENT
3 PURSUANT TO SUBSECTION (3) OF THIS SECTION DURING THE PRECEDING
4 YEAR. THE SUMMARY MUST INCLUDE:

5 (a) THE AMOUNT THAT EACH REPORTING HOSPITAL INVESTED IN:

6 (I) FREE OR REDUCED-COST HEALTH CARE SERVICES THAT
7 ADDRESSED COMMUNITY-IDENTIFIED HEALTH NEEDS;

8 (II) PROGRAMS THAT ADDRESSED HEALTH BEHAVIORS OR RISKS;

9 (III) PROGRAMS THAT ADDRESSED SOCIAL DETERMINANTS OF
10 HEALTH; AND

11 (IV) ALL SERVICES AND PROGRAMS THAT ADDRESSED
12 COMMUNITY-IDENTIFIED HEALTH NEEDS;

13 (b) A SUMMARY OF THE REPORTING HOSPITALS' INVESTMENTS
14 THAT HAVE BEEN EFFECTIVE IN IMPROVING COMMUNITY HEALTH
15 OUTCOMES; AND

16 (c) ANY LEGISLATIVE RECOMMENDATIONS THE STATE
17 DEPARTMENT HAS FOR THE GENERAL ASSEMBLY.

18 (8) THE STATE DEPARTMENT SHALL POST THE REPORTS COMPLETED
19 PURSUANT TO SUBSECTION (7) OF THIS SECTION TO A PUBLIC WEB PAGE
20 THAT THE STATE DEPARTMENT CREATES FOR THIS SOLE PURPOSE.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part will not take effect
28 unless approved by the people at the general election to be held in
29 November 2020 and, in such case, will take effect on the date of the
30 official declaration of the vote thereon by the governor."

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