

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 17-0476.01 Kristen Forrestal x4217

SENATE BILL 17-056

SENATE SPONSORSHIP

Kerr, Tate, Moreno

HOUSE SPONSORSHIP

Arndt, Thurlow

Senate Committees

Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO THE**
103 **GENERAL ASSEMBLY.**

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/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

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

acting by bill, continues the requirement. The bill addresses reporting requirements of the department of public health and environment.

Sections 1, 6, 7, 8, 12, and 15 of the bill continue indefinitely the reporting requirements contained in those statutory sections.

Sections 2 to 5, 9, 10, 11, and 13 repeal reports that are or were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statute.

Section 14 adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-1.5-101, **amend**
3 (1)(w)(III)(A) as follows:

4 **25-1.5-101. Powers and duties of department - laboratory cash**
5 **fund.** (1) The department has, in addition to all other powers and duties
6 imposed upon it by law, the powers and duties provided in this section as
7 follows:

8 (w) (III) (A) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), as
9 part of its duties as coordinator for suicide prevention programs, on or
10 before each November 1, the department shall submit to the chairs of the
11 senate health and human services committee and the house of
12 representatives health, INSURANCE, and environment committee, or their
13 successor committees, and to the members of the joint budget committee,
14 a report listing all suicide prevention programs in the state and describing
15 the effectiveness of the department acting as the coordinator for suicide
16 prevention programs. For the report submitted in 2013 and each year
17 thereafter, the department shall include any findings and
18 recommendations it has to improve suicide prevention in the state.

19 **SECTION 2.** In Colorado Revised Statutes, **amend** 25-1.5-110
20 as follows:

1 **25-1.5-110. Monitor health effects of marijuana.** The
2 department shall monitor changes in drug use patterns, broken down by
3 county and race and ethnicity, and the emerging science and medical
4 information relevant to the health effects associated with marijuana use.
5 The department shall appoint a panel of health care professionals with
6 expertise in cannabinoid physiology to monitor the relevant information.
7 The panel shall provide a report by January 31, 2015, and every two years
8 thereafter to the state board of health AND the department of revenue. ~~and~~
9 ~~the general assembly.~~ The department shall make the report available on
10 its website. The panel shall establish criteria for studies to be reviewed,
11 reviewing studies and other data, and making recommendations, as
12 appropriate, for policies intended to protect consumers of marijuana or
13 marijuana products and the general public. The department may collect
14 Colorado-specific data that reports adverse health events involving
15 marijuana use from the all-payer claims database, hospital discharge data,
16 and behavioral risk factors. The department and panel are not required to
17 perform the duties required by this section until the marijuana cash fund,
18 created in section 12-43.3-501, ~~C.R.S.~~ has received sufficient revenue to
19 fully fund the appropriations made to the department of revenue related
20 to articles 43.3 and 43.4 of title 12 ~~C.R.S.~~, and the appropriation to the
21 division of criminal justice related to section 24-33.5-516 ~~C.R.S.~~, and the
22 general assembly has appropriated sufficient ~~moneys~~ MONEY from the
23 fund to the department to pay for the monitoring required by this section.

24 **SECTION 3.** In Colorado Revised Statutes, **repeal** 25-3-603 as
25 follows:

26 **25-3-603. Department reports.** ~~(1) On or before January 15,~~
27 ~~2008, and each January 15 thereafter, the department shall submit to the~~

1 health and human services committees of the house of representatives and
2 of the senate a report summarizing the risk-adjusted health-facility data.
3 The department shall post the report on its website.

4 (2) The department shall issue semi-annual informational bulletins
5 summarizing all or part of the information submitted in the health-facility
6 reports.

7 (3) (a) ~~All data in reports issued by the department shall be~~
8 ~~risk-adjusted consistent with the standards of the national healthcare~~
9 ~~safety network.~~

10 (b) ~~The annual report shall compare the risk-adjusted,~~
11 ~~hospital-acquired infection rates, collected under section 25-3-602, for~~
12 ~~each individual health facility in the state. The department, in consultation~~
13 ~~with the advisory committee, shall make this comparison as easy to~~
14 ~~comprehend as possible. The report shall include an executive summary,~~
15 ~~written in plain language, that includes, but is not limited to, a discussion~~
16 ~~of findings, conclusions, and trends concerning the overall state of~~
17 ~~hospital-acquired infections in the state, including a comparison to prior~~
18 ~~years when available. The report may include policy recommendations as~~
19 ~~appropriate.~~

20 (c) ~~The department shall publicize the report and its availability~~
21 ~~as widely as practical to interested parties, including but not limited to~~
22 ~~health facilities, providers, media organizations, health insurers, health~~
23 ~~maintenance organizations, purchasers of health insurance, organized~~
24 ~~labor, consumer or patient advocacy groups, and individual consumers.~~
25 ~~The annual report shall be made available to any person upon request.~~

26 (d) ~~A health-facility report or department disclosure may not~~
27 ~~contain information identifying a patient, employee, or licensed health~~

1 ~~care professional in connection with a specific infection incident.~~

2 **SECTION 4.** In Colorado Revised Statutes, 25-3-702, **amend**
3 (2)(b) as follows:

4 **25-3-702. Comprehensive hospital information system -**
5 **executive director - duties - definitions.** (2) In order to implement this
6 section the executive director or his or her designee shall:

7 (b) On or before May 15, 2007, submit an initial plan and an
8 annual update to the plan and a report on the status of implementation to
9 the governor ~~the president of the senate, and the speaker of the house of~~
10 ~~representatives with copies to all members of the general assembly and~~
11 ~~available~~ to the public, ~~on an internet~~ VIA A website. The plan shall
12 identify the process and time frames for implementation, barriers to
13 implementation, and recommendations of changes in the law that may be
14 enacted by the general assembly to eliminate the barriers.

15 **SECTION 5.** In Colorado Revised Statutes, 25-3.5-704, **amend**
16 (2)(h)(I) introductory portion and (2)(h)(I)(E) as follows:

17 **25-3.5-704. Statewide emergency medical and trauma care**
18 **system - development and implementation - duties of department -**
19 **rules adopted by board.** (2) The board shall adopt rules for the
20 statewide emergency medical and trauma care system, including but not
21 limited to the following:

22 (h) (I) **Continuing quality improvement system (CQI).** These
23 rules require the department to oversee a continuing quality improvement
24 system for the statewide emergency medical and trauma care system. The
25 board shall specify the methods and periods for assessing the quality of
26 regional emergency medical and trauma systems and the statewide
27 emergency medical and trauma care system. These rules **MUST** include ~~but~~

1 are not limited to, the following requirements:

2 (E) That the department be allowed access to prehospital, hospital,
3 and coroner records of emergency medical and trauma patients to assess
4 the continuing quality improvement system for the area and state-based
5 injury prevention and public information and education programs
6 pursuant to ~~paragraph (g) of this subsection (2)~~ SUBSECTION (2)(g) OF
7 THIS SECTION. All information provided to the department shall be
8 confidential pursuant to ~~subparagraph (H) of this paragraph (h)~~ THIS
9 SUBSECTION (2)(h). To the greatest extent possible, patient-identifying
10 information shall not be gathered. If patient-identifying information is
11 necessary, the department shall keep such information strictly
12 confidential, and such information may only be released outside of the
13 department upon written authorization of the patient. The department
14 shall prepare an annual report that includes an evaluation of the statewide
15 emergency medical and trauma services system. Such report shall be
16 distributed to all designated trauma centers, ambulance services, and
17 service agencies. ~~and to the chairpersons of the health and human services~~
18 ~~committees of the house of representatives and the senate, or any~~
19 ~~successor committees.~~

20 **SECTION 6.** In Colorado Revised Statutes, **amend** 25-8-305 as
21 follows:

22 **25-8-305. Annual report.** NOTWITHSTANDING SECTION 24-1-136
23 (11)(a)(I), on or before October 1 of each year, the division through the
24 executive director shall report to the commission on the effectiveness of
25 ~~the provisions of this article~~ and shall include in such report ~~such~~ ANY
26 recommendations ~~as~~ it may have with respect to any regulatory or
27 legislative changes that may be needed or desired. ~~Such~~ THE report shall

1 MUST include the then current information that has been obtained
2 pursuant to section 25-8-303 and information concerning the status of the
3 division's implementation of the discharge permit program established in
4 part 5 of this article. The report shall be filed with the house agriculture,
5 livestock, and natural resources committee and the senate agriculture,
6 natural resources, and energy committee, or any successor committees.

7 **SECTION 7.** In Colorado Revised Statutes, 25-8-502, **amend**
8 (1.7)(a) introductory portion as follows:

9 **25-8-502. Application - definitions - fees - water quality**
10 **control fund - animal feeding operation fund - public participation -**
11 **repeal.** (1.7) (a) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I),
12 commencing in 2016, the department of public health and environment
13 shall report annually to:

14 **SECTION 8.** In Colorado Revised Statutes, 25-15-301.5, **amend**
15 (3) as follows:

16 **25-15-301.5. Additional powers of department - legislative**
17 **declaration - report.** (3) NOTWITHSTANDING SECTION 24-1-136
18 (11)(a)(I), the department is directed to submit a report to the general
19 assembly on or before February 1, 2002, and annually on or before each
20 February 1 thereafter that describes the status of the hazardous waste
21 control program, the department's efforts to carry out its statutory
22 responsibilities at the lowest possible cost without jeopardizing the intent
23 stated in subsection (1) of this section, and the department's
24 implementation of the authority to accept environmental covenants
25 created pursuant to section 25-15-321.

26 **SECTION 9.** In Colorado Revised Statutes, 25-16.5-105, **amend**
27 (1)(m)(I) as follows:

1 **25-16.5-105. Powers and duties of advisory board.** (1) The
2 advisory board has the following powers and duties:

3 (m) (I) In accordance with the provisions of ~~subparagraph (H) of~~
4 ~~this paragraph (m)~~, SUBSECTION (1)(m)(II) OF THIS SECTION, to submit an
5 annual report to the department of local affairs, the department, AND the
6 Colorado energy office created in section 24-38.5-101. ~~C.R.S. and the~~
7 ~~standing committee of reference in each house of the general assembly~~
8 ~~exercising jurisdiction over matters concerning public health and the~~
9 ~~environment.~~

10 **SECTION 10.** In Colorado Revised Statutes, 25-17-405, **repeal**
11 (3)(b) as follows:

12 **25-17-405. Paint stewardship program requirements - annual**
13 **reports - customer information.** (3) (b) ~~The executive director shall~~
14 ~~annually compile the results of the reports received pursuant to paragraph~~
15 ~~(a) of this subsection (3) into a general report describing the progress of~~
16 ~~the paint stewardship programs. The executive director shall annually~~
17 ~~present the report to the health and human services committee of the~~
18 ~~senate and the public health care and human services committee of the~~
19 ~~house of representatives, or their successor committees.~~

20 **SECTION 11.** In Colorado Revised Statutes, 25-20.5-108,
21 **amend** (6) as follows:

22 **25-20.5-108. Prevention, intervention, and treatment program**
23 **requirements - reports - reviews - annual review summary.** (6) The
24 division shall annually prepare or oversee the preparation of an executive
25 summary of the prevention, intervention, and treatment program reviews
26 conducted during the preceding year and submit such summary to the
27 governor, ~~to the general assembly~~, to each state department that operates

1 a prevention, intervention, and treatment program, and to each entity that
2 received state or federal funds for operation of a prevention, intervention,
3 and treatment program during the fiscal year for which the summary is
4 prepared. In addition, the division shall provide copies of the summary to
5 any person upon request.

6 **SECTION 12.** In Colorado Revised Statutes, 25-20.5-407,
7 **amend** (1)(g) as follows:

8 **25-20.5-407. State review team - duties - definitions.** (1) The
9 state review team shall:

10 (g) Report to the governor and to the public health care and
11 human services committee and the judiciary committee of the house of
12 representatives and the health and human services committee and the
13 judiciary committee of the senate of the Colorado general assembly, or
14 any successor committees, concerning any recommendations for changes
15 to any law, rule, or policy that the state review team has determined will
16 promote the safety and well-being of children. NOTWITHSTANDING
17 SECTION 24-1-136 (11)(a)(I), the state review team shall report annually
18 on or before July 1, 2014, and on or before July 1 each year thereafter. In
19 its report, the state review team shall provide a list of system strengths
20 and weaknesses identified through the review process and
21 recommendations for preventive actions to promote the safety and
22 well-being of children. The annual report must include an analysis of the
23 state review team's recommendations from the previous year and state
24 what policy changes, if any, were made to improve child safety and
25 well-being. The state review team shall make the annual report publicly
26 available and will conduct outreach efforts to educate members of the
27 child protection community on report findings.

1 **SECTION 13.** In Colorado Revised Statutes, **amend** 25-25-131
2 as follows:

3 **25-25-131. Annual report.** The authority shall submit to the
4 governor ~~and the general assembly~~ within six months after the end of the
5 fiscal year a report which shall set forth a complete and detailed operating
6 and financial statement of the authority during such year. Also included
7 in the report shall be any recommendations with reference to additional
8 legislation or other action that may be necessary to carry out the purposes
9 of the authority.

10 **SECTION 14.** In Colorado Revised Statutes, 25-44-102, **amend**
11 (6) as follows:

12 **25-44-102. Comprehensive human sexuality education grant**
13 **program - creation - application for federal money - notification to**
14 **schools - rules - repeal.** (6) (a) On or before January 30, 2017, and every
15 year thereafter in which grants have been awarded pursuant to this article,
16 the department shall submit a report concerning the outcomes of the
17 program to the state board of education, the department of education, and
18 the education committees of the senate and house of representatives, the
19 health and human services committee of the senate, and the public health
20 care and human services committee of the house of representatives, or
21 any successor committees. The report must include, at a minimum:

22 ~~(a)~~ (I) The number of public schools and school districts that
23 received a grant under the program;

24 ~~(b)~~ (II) The number of students reached and the curriculum
25 utilized;

26 ~~(c)~~ (III) The amount of each grant awarded;

27 ~~(d)~~ (IV) The average amount of all grants awarded; and

1 (e) (V) The source and amount of each gift, grant, or donation
2 received by the department for the implementation of this article.

3 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
4 (6) IS REPEALED, EFFECTIVE JULY 2, 2020.

5 **SECTION 15.** In Colorado Revised Statutes, 30-20-101.5,
6 **amend** (3) as follows:

7 **30-20-101.5. Additional powers of the department - legislative**
8 **declaration.** (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or
9 before February 1, 2008, and not later than February 1 of each year
10 thereafter, the department shall submit a report to the standing committee
11 of reference in each house of the general assembly exercising jurisdiction
12 over matters concerning public health and the environment that describes
13 the status of the solid waste management program, the department's
14 efforts to satisfy its statutory responsibilities at the lowest possible cost
15 while meeting the legislative intent specified in subsection (1) of this
16 section, and the department's implementation of the authority to accept
17 environmental covenants created pursuant to section 25-15-321. ~~C.R.S.~~

18 **SECTION 16. Effective date.** (1) Except as otherwise provided
19 in this section, this act takes effect upon passage.

20 (2) Section 2 of this act takes effect February 1, 2018.

21 **SECTION 17. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.