

CHAPTER 33

HEALTH AND ENVIRONMENT

SENATE BILL 17-056

BY SENATOR(S) Kerr, Tate, Moreno, Cooke, Court, Guzman, Holbert, Kagan, Kefalas, Martinez Humenik, Merrifield, Priola, Todd, Grantham;
also REPRESENTATIVE(S) Arndt, Thurlow, Becker K., Hooton, Lontine, Pettersen, Valdez.

AN ACT

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

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

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

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

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

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

25-1.5-110. Monitor health effects of marijuana. (2) The department shall appoint a panel of health care professionals with expertise in cannabinoid physiology to monitor the relevant information. NOTWITHSTANDING SECTION

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

24-1-136 (11)(a)(I), the panel shall provide a report by January 31, 2015, and every two years thereafter to the state board of health, the department of revenue, and the general assembly. The department shall make the report available on its website. The panel shall establish criteria for studies to be reviewed, reviewing studies and other data, and making recommendations, as appropriate, for policies intended to protect consumers of marijuana or marijuana products and the general public.

SECTION 3. In Colorado Revised Statutes, 25-3-603, **amend** (1) as follows:

25-3-603. Department reports. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before ~~January 15, 2008~~, JULY 15, 2017, and each ~~January~~ JULY 15 thereafter, the department shall submit to the health and human services committees of the house of representatives and of the senate a report summarizing the risk-adjusted health-facility data. The department shall post the report on its website.

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

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

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

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

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

(h) (I) **Continuing quality improvement system (CQI).** These rules require the department to oversee a continuing quality improvement system for the statewide emergency medical and trauma care system. The board shall specify the methods and periods for assessing the quality of regional emergency medical and trauma systems and the statewide emergency medical and trauma care system. These rules ~~MUST include but are not limited to~~, the following requirements:

(E) That the department be allowed access to prehospital, hospital, and coroner records of emergency medical and trauma patients to assess the continuing quality improvement system for the area and state-based injury prevention and public information and education programs pursuant to ~~paragraph (g) of this subsection (2)~~ SUBSECTION (2)(g) OF THIS SECTION. All information provided to the department shall be confidential pursuant to ~~subparagraph (H) of this paragraph (h)~~ THIS SUBSECTION (2)(h). To the greatest extent possible, patient-identifying information

shall not be gathered. If patient-identifying information is necessary, the department shall keep such information strictly confidential, and such information may only be released outside of the department upon written authorization of the patient. The department shall prepare an annual report that includes an evaluation of the statewide emergency medical and trauma services system. Such report shall be distributed to all designated trauma centers, ambulance services, and service agencies. ~~and to the chairpersons of the health and human services committees of the house of representatives and the senate, or any successor committees.~~

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

25-8-305. Annual report. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before October 1 of each year, the division through the executive director shall report to the commission on the effectiveness of ~~the provisions of this article~~ and shall include in such report ~~such~~ ANY recommendations as it may have with respect to any regulatory or legislative changes that may be needed or desired. ~~Such~~ THE report ~~shall~~ MUST include the then current information that has been obtained pursuant to section 25-8-303 and information concerning the status of the division's implementation of the discharge permit program established in part 5 of this article. The report shall be filed with the house agriculture, livestock, and natural resources committee and the senate agriculture, natural resources, and energy committee, or any successor committees.

SECTION 7. In Colorado Revised Statutes, 25-15-301.5, **amend** (3) as follows:

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

SECTION 8. In Colorado Revised Statutes, 25-16.5-105, **amend** (1)(m)(I) as follows:

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

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

SECTION 9. In Colorado Revised Statutes, 25-17-405, **amend** (3)(b) as follows:

25-17-405. Paint stewardship program requirements - annual reports - customer information. (3) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I),

the executive director shall annually compile the results of the reports received pursuant to ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION into a general report describing the progress of the paint stewardship programs. The executive director shall annually present the report to the health and human services committee of the senate and the public health care and human services committee of the house of representatives, or their successor committees.

SECTION 10. In Colorado Revised Statutes, 25-20.5-108, **amend** (6) as follows:

25-20.5-108. Prevention, intervention, and treatment program requirements - reports - reviews - annual review summary. (6) The division shall annually prepare or oversee the preparation of an executive summary of the prevention, intervention, and treatment program reviews conducted during the preceding year and submit such summary to the governor, ~~to the general assembly~~, to each state department that operates a prevention, intervention, and treatment program, and to each entity that received state or federal funds for operation of a prevention, intervention, and treatment program during the fiscal year for which the summary is prepared. In addition, the division shall provide copies of the summary to any person upon request.

SECTION 11. In Colorado Revised Statutes, 25-20.5-407, **amend** (1)(g) as follows:

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

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

SECTION 12. In Colorado Revised Statutes, **amend** 25-25-131 as follows:

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

SECTION 13. In Colorado Revised Statutes, 25-44-102, **amend** (6) as follows:

25-44-102. Comprehensive human sexuality education grant program - creation - application for federal money - notification to schools - rules - repeal.

(6) (a) On or before January 30, 2017, and every year thereafter in which grants have been awarded pursuant to this article, the department shall submit a report concerning the outcomes of the program to the state board of education, the department of education, and the education committees of the senate and house of representatives, the health and human services committee of the senate, and the public health care and human services committee of the house of representatives, or any successor committees. The report must include, at a minimum:

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

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

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

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

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

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

SECTION 14. In Colorado Revised Statutes, 30-20-101.5, **amend** (3) as follows:

30-20-101.5. Additional powers of the department - legislative declaration.

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

SECTION 15. Effective date. (1) Except as otherwise provided in this section, this act takes effect upon passage.

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

SECTION 16. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 16, 2017