

**First Extraordinary Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 20B-0038.01 Brita Darling x2241

HOUSE BILL 20B-1008

HOUSE SPONSORSHIP

Baisley, Champion, Landgraf, Larson, McKean, Soper, Will

SENATE SPONSORSHIP

(None),

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROVIDING FUNDING TO LOCAL EDUCATION PROVIDERS**
102 **TO CONTRACT FOR THE SERVICES OF A PHYSICIAN DURING THE**
103 **PENDENCY OF THE COVID-19 PANDEMIC IN THE STATE.**

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 provides noncompetitive grants to school districts and boards of cooperative services that include rural school districts (local education providers) to retain a licensed physician to provide medical assessments and advice and to act as a liaison between the local education provider and state and local public health agencies with regard to

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.

implementing health protocols and requirements pertaining to COVID-19, with the goal of stabilizing the learning environment and advocating for the interests of the local education provider and its students and their families.

The department of education (department) shall allocate grants in the order requests are received, so long as there are available appropriations; except that the department may prioritize the award of grants to local education providers located in counties that are experiencing high or rising levels of COVID-19 or that are managing significant or complex exposure and quarantine protocols for students or staff. The term of the physician contracts must not exceed 30 days following the expiration of the governor's executive orders and any school-related public health agency order or protocols related to the COVID-19 pandemic.

The department may award grants of up to \$50,000 per local education provider or group of providers, up to a cap of one million dollars. The bill gives the commissioner of education discretion, as specified in the bill, relating to the award of grants.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-1-131 as
3 follows:

4 **22-1-131. Contracts for physician services for school districts**
5 **and boards of cooperative services during the COVID-19 pandemic**
6 **- noncompetitive grants - rules - legislative declaration - definitions**
7 **- repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

8 (I) ON MARCH 11, 2020, THE GOVERNOR ISSUED EXECUTIVE ORDER
9 D 2020-003 DECLARING A DISASTER EMERGENCY DUE TO THE PRESENCE
10 OF COVID-19 IN THE STATE. THE DISASTER EMERGENCY HAS BEEN
11 REGULARLY EXTENDED SINCE THAT DATE.

12 (II) SINCE THE ORDER DECLARING A PUBLIC HEALTH DISASTER
13 EMERGENCY, LOCAL EDUCATION PROVIDERS IN THE STATE HAVE BEEN
14 SUBJECT TO NUMEROUS EXECUTIVE ORDERS, INCLUDING THE GOVERNOR'S
15 SCHOOL CLOSURE ORDER, AND MANY STATE AND LOCAL PUBLIC HEALTH

1 AGENCY ORDERS THAT IMPACT THE HEALTH AND SAFETY OF LOCAL
2 EDUCATION PROVIDERS' STAFF AND STUDENTS AND THE METHOD OF
3 LEARNING IN PUBLIC SCHOOLS, INCLUDING IN-PERSON AND REMOTE
4 LEARNING;

5 (III) LOCAL EDUCATION PROVIDERS HAVE BEEN HAMPERED DUE TO
6 A LACK OF RESOURCES AND NECESSARY MEDICAL EXPERTISE IN THEIR
7 ABILITY TO MAKE HEALTH ASSESSMENTS FOR THEIR SCHOOL
8 COMMUNITIES, COMPLY WITH VARIOUS HEALTH ORDERS AND PROTOCOLS
9 FOR MITIGATING VIRUS TRANSMISSION, AND COMMUNICATE WITH STATE
10 AND LOCAL PUBLIC HEALTH AGENCIES THAT MANDATE AND ENFORCE
11 PUBLIC HEALTH ORDERS AND PROTOCOLS; AND

12 (IV) THE INABILITY OF A LOCAL EDUCATION PROVIDER TO
13 EFFECTIVELY ASSESS THE HEALTH OF ITS STUDENTS AND STAFF, COMPLY
14 WITH HEALTH ORDERS AND PROTOCOLS FOR MITIGATING VIRUS
15 TRANSMISSION, AND COMMUNICATE WITH AND ADVOCATE FOR ITS
16 INTERESTS WITH STATE AND LOCAL PUBLIC HEALTH AGENCIES HAS
17 IMPACTED THE STABILITY OF THE LEARNING ENVIRONMENT OF THE LOCAL
18 EDUCATION PROVIDER AND THE BEST INTERESTS OF ITS STUDENTS AND
19 FAMILIES.

20 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS
21 APPROPRIATE TO PROVIDE FUNDING TO LOCAL EDUCATION PROVIDERS TO
22 CONTRACT WITH A COLORADO LICENSED PHYSICIAN TO PROVIDE MEDICAL
23 ADVICE AND ASSESSMENTS FOR THE LOCAL EDUCATION PROVIDER AND TO
24 ACT AS A LIAISON BETWEEN THE LOCAL EDUCATION PROVIDER AND THE
25 STATE AND LOCAL PUBLIC HEALTH AGENCIES DURING THE PENDENCY OF
26 THE COVID-19 PANDEMIC.

27 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2 (a) "BOARD OF COOPERATIVE SERVICES" HAS THE SAME MEANING
3 AS SET FORTH IN SECTION 22-5-103 (2).

4 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION,
5 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

6 (c) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT OR
7 A BOARD OF COOPERATIVE SERVICES THAT INCLUDES A RURAL SCHOOL
8 DISTRICT AS A MEMBER.

9 (d) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
10 COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL,
11 BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE
12 DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE,
13 URBANIZED AREA.

14 (e) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT CREATED
15 PURSUANT TO ARTICLE 30 OF THIS TITLE 22.

16 (3) FOR THE 2020-21 BUDGET YEAR, THE GENERAL ASSEMBLY
17 SHALL APPROPRIATE ONE MILLION DOLLARS FROM THE GENERAL FUND TO
18 THE DEPARTMENT FOR NONCOMPETITIVE GRANTS TO A LOCAL EDUCATION
19 PROVIDER OR GROUP OF PROVIDERS TO CONTRACT WITH A COLORADO
20 LICENSED PHYSICIAN TO:

21 (a) ADVISE THE LOCAL EDUCATION PROVIDER REGARDING THE
22 GOVERNOR'S EXECUTIVE ORDERS AND PUBLIC HEALTH ORDERS AND
23 PROTOCOLS OF STATE AND LOCAL PUBLIC HEALTH AGENCIES PERTAINING
24 TO COVID-19;

25 (b) PROVIDE MEDICAL ASSESSMENTS OF STUDENTS AND STAFF IN
26 SCHOOLS;

27 (c) ADVISE THE LOCAL EDUCATION PROVIDER CONCERNING

1 COVID-19 EXPOSURE AND APPROPRIATE QUARANTINE PROTOCOLS FOR
2 STUDENTS AND STAFF;

3 (d) SUPPORT SCHOOL NURSES AND SCHOOL ADMINISTRATORS IN
4 IMPLEMENTING TRANSMISSION MITIGATION STRATEGIES AND RESPONDING
5 TO QUARANTINE PROTOCOL GUIDELINES;

6 (e) SUPPORT THE DEVELOPMENT AND DISSEMINATION OF
7 INFORMATION BY THE LOCAL EDUCATION PROVIDER TO STUDENTS,
8 PARENTS, AND THE COMMUNITY CONCERNING COVID-19 AND THE LOCAL
9 EDUCATION PROVIDER'S RESPONSE TO THE COVID-19 PANDEMIC;

10 (f) ACT AS A LIAISON BETWEEN THE LOCAL EDUCATION PROVIDER
11 AND THE STATE AND LOCAL PUBLIC HEALTH AGENCIES; AND

12 (g) PROVIDE OTHER SERVICES, ADVICE, OR COORDINATION
13 ACTIVITIES AS DETERMINED BY THE LOCAL EDUCATION PROVIDER RELATED
14 TO THE OPERATION OF THE LOCAL EDUCATION PROVIDER DURING THE
15 COVID-19 PANDEMIC.

16 (4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT
17 SHALL AWARD NONCOMPETITIVE GRANTS TO A LOCAL EDUCATION
18 PROVIDER OR GROUP OF PROVIDERS IN THE ORDER THAT THE DEPARTMENT
19 RECEIVES THE GRANT REQUESTS AS DESCRIBED IN THIS SUBSECTION (4);
20 EXCEPT THAT THE DEPARTMENT MAY PRIORITIZE REQUESTS FROM LOCAL
21 EDUCATION PROVIDERS THAT ARE IN A COUNTY EXPERIENCING A HIGH OR
22 RISING NUMBER OF COVID-19 INFECTIONS OR THAT ARE MANAGING
23 SIGNIFICANT OR COMPLEX EXPOSURE AND QUARANTINE PROTOCOLS FOR
24 STUDENTS AND STAFF. A LOCAL EDUCATION PROVIDER OR GROUP OF
25 PROVIDERS MAY REQUEST A GRANT FROM THE DEPARTMENT OF UP TO
26 FIFTY THOUSAND DOLLARS TO CONTRACT WITH A COLORADO LICENSED
27 PHYSICIAN FOR THE PURPOSES SET FORTH IN SUBSECTION (3) OF THIS

1 SECTION AND SHALL PROVIDE INFORMATION CONCERNING THE TERMS OF
2 THE CONTRACT, INCLUDING THE COMPENSATION AND SERVICES PROVIDED
3 PURSUANT TO THE CONTRACT. THE CONTRACT MUST EXPIRE NOT MORE
4 THAN THIRTY DAYS AFTER THE EXPIRATION OF THE GOVERNOR'S
5 EXECUTIVE ORDER AND EXTENSIONS OF THE ORDER DECLARING A STATE
6 PUBLIC HEALTH EMERGENCY AND ANY SCHOOL-RELATED STATE AND
7 LOCAL PUBLIC HEALTH AGENCY ORDERS OR PROTOCOLS RELATING TO THE
8 COVID-19 PANDEMIC, AND MUST ALLOW FOR PRORATION OF THE
9 CONTRACT AMOUNT IF THE CONTRACT TERMINATES EARLY BASED ON THE
10 PROVISIONS OF THIS SECTION. THE COMMISSIONER OF EDUCATION MAY
11 DECLINE TO AWARD A GRANT IF THE TERMS OF THE PROPOSED CONTRACT
12 FALL SUBSTANTIALLY OUTSIDE OF THE TERMS OF CONTRACTS NEGOTIATED
13 BY OTHER SIMILAR LOCAL EDUCATION PROVIDERS WITH RESPECT TO THE
14 SERVICES AND COMPENSATION PROVIDED PURSUANT TO THE TERMS OF THE
15 CONTRACT.

16 (5) THE STATE BOARD OF EDUCATION IS AUTHORIZED TO
17 PROMULGATE RULES, AS NEEDED, TO IMPLEMENT THIS SECTION.

18 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

19 **SECTION 2. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.