

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

PREAMENDED

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

LLS NO. 21-0737.01 Sarah Lozano x3858

HOUSE BILL 21-1171

HOUSE SPONSORSHIP

Bradfield and Titone,

SENATE SPONSORSHIP

Buckner and Hisey,

House Committees

Health & Insurance
Legislative Council
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE KIDNEY DISEASE PREVENTION**
102 **AND EDUCATION TASK FORCE, AND, IN CONNECTION THEREWITH,**
103 **MAKING 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 creates the kidney disease prevention and education task force (task force) in the department of public health and environment (department). The task force consists of members that are part of the general assembly and members that are not part of the general assembly. The task force's purpose is to evaluate and make recommendations to the

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.

general assembly about the detection, treatment, education, and awareness of kidney disease in Colorado.

The task force has the following duties:

- To work with various entities to create kidney disease educational programs and increase overall awareness of kidney disease in Colorado;
- To examine chronic kidney disease, transplantation, donation, and the higher rates of affliction in minority populations; and
- To develop a plan to raise awareness about kidney disease in Colorado, which shall include an ongoing campaign that incorporates health workshops, preventative screenings, social media campaigns, and television and radio commercials.

The task force is required to submit an initial report with its findings and recommendations to the general assembly by December 1, 2023. The task force is required to convene by November 1, 2021, and is required to meet at least 4 times every year. Following the task force's submittal of the initial report, the task force shall elect a chair and vice-chair from the members who are not part of the general assembly, and the members who are part of the general assembly shall transition to an advisory role. The task force is required to submit follow-up reports each year.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) The kidneys are vital organs that clean the blood, help control
5 blood pressure, make red blood cells, and keep bones healthy;

6 (b) Approximately 37 million Americans currently suffer from
7 kidney disease and millions more are at risk for developing kidney
8 disease in the future;

9 (c) Black Americans are about 4 times more likely and Hispanic
10 Americans are about 1.6 times more likely than white Americans to suffer
11 from kidney failure;

12 (d) In 2017, there were 1,138 new cases of kidney failure

1 diagnosed in Colorado, and of those new cases, only 68 were able to
2 receive a transplant;

3 (e) In 2019, only an estimated 1 in 4 Coloradans on the waiting
4 list for a kidney transplant were able to receive a transplant;

5 (f) The main causes of chronic kidney disease are diabetes and
6 high blood pressure, and an estimated 7% of Coloradans suffer from
7 diabetes and an estimated 25.9% of Coloradans have high blood pressure;

8 (g) According to the Centers for Disease Control, 96% of people
9 with early kidney disease are unaware that they are afflicted because there
10 are typically no symptoms until the later stages of the disease; and

11 (h) If kidney disease is detected early through blood and urine
12 tests, it is often possible to slow or stop its progress through treatment.

13 (2) The general assembly further finds and declares that, in light
14 of the detrimental effects of kidney disease on the population of Colorado
15 and the United States, it is in the interest of the state and of local
16 communities to convene a task force to study and make recommendations
17 on the prevention, treatment, disparity of impact, and overall awareness
18 of kidney disease in Colorado.

19 **SECTION 2.** In Colorado Revised Statutes, **add** 25-1-131 as
20 follows:

21 **25-1-131. Kidney disease prevention and education task force**
22 **- created - powers and duties - report - selection of chair and**
23 **vice-chair - sunset review - repeal.** (1) THE KIDNEY DISEASE
24 PREVENTION AND EDUCATION TASK FORCE, REFERRED TO IN THIS SECTION
25 AS THE "TASK FORCE", IS HEREBY CREATED IN THE DEPARTMENT.

26 (2) EXCEPT AS SET FORTH IN SUBSECTION (10)(b) OF THIS SECTION,
27 THE TASK FORCE CONSISTS OF THE FOLLOWING VOTING MEMBERS:

1 (a) FOUR MEMBERS FROM THE GENERAL ASSEMBLY, COLLECTIVELY
2 REFERRED TO IN THIS SECTION AS THE "ELECTED MEMBERS", AS FOLLOWS:

3 (I) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF
4 THE SENATE, WHO SERVES AS AN INITIAL CO-CHAIR;

5 (II) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES, APPOINTED
6 BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, WHO SERVES AS AN
7 INITIAL CO-CHAIR;

8 (III) ONE MEMBER OF THE SENATE, APPOINTED BY THE MINORITY
9 LEADER OF THE SENATE; AND

10 (IV) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES,
11 APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
12 REPRESENTATIVES.

13 (b) THE FOLLOWING OTHER MEMBERS, COLLECTIVELY REFERRED
14 TO IN THIS SECTION AS THE "NONELECTED MEMBERS", APPOINTED BY THE
15 GOVERNOR:

16 (I) ONE MEMBER REPRESENTING THE DEPARTMENT;

17 (II) ONE MEMBER REPRESENTING THE RENAL PROVIDER
18 COMMUNITY;

19 (III) ONE MEMBER REPRESENTING A COLORADO MEDICAL CENTER
20 WITH A PROGRAM DEDICATED TO TREATING KIDNEY DISEASE;

21 (IV) ONE MEMBER REPRESENTING THE NEPHROLOGIST
22 COMMUNITY;

23 (V) TWO MEMBERS FROM SEPARATE NONPROFIT ORGANIZATIONS
24 FOCUSING ON KIDNEY DISEASE;

25 (VI) ONE MEMBER REPRESENTING THE KIDNEY PATIENT
26 COMMUNITY;

27 (VII) THE SECRETARY OF STATE OR THE SECRETARY OF STATE'S

1 DESIGNEE; AND

2 (VIII) TWO ADDITIONAL DISCRETIONARY MEMBERS TO REPRESENT
3 PUBLIC HEALTH CLINICS, COMMUNITY HEALTH CENTERS, MINORITY
4 HEALTH ORGANIZATIONS, OR PRIVATE HEALTH INSURERS.

5 (3) ALL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE NO
6 LATER THAN OCTOBER 1, 2021. THE TERMS OF THE ELECTED MEMBERS
7 TERMINATE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF
8 THE SEVENTY-FOURTH GENERAL ASSEMBLY. AS SOON AS PRACTICABLE
9 AFTER SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE
10 LEGISLATIVE SESSION, THE SPEAKER AND MINORITY LEADER OF THE HOUSE
11 OF REPRESENTATIVES AND THE PRESIDENT AND THE MINORITY LEADER OF
12 THE SENATE SHALL EACH APPOINT OR REAPPOINT THE ELECTED MEMBERS.
13 THEREAFTER, THE TERMS OF THE ELECTED MEMBERS EXPIRE ON THE
14 CONVENING DATE OF THE FIRST REGULAR SESSION OF EACH GENERAL
15 ASSEMBLY, AND ALL SUBSEQUENT APPOINTMENTS AND REAPPOINTMENTS
16 OF THE ELECTED MEMBERS MUST BE MADE AS SOON AS PRACTICABLE
17 AFTER THE CONVENING DATE, BUT NO LATER THAN THE END OF THE
18 LEGISLATIVE SESSION. THE DURATION OF THE APPOINTMENTS OF THE
19 NONELECTED MEMBERS ARE FOR THE DURATION OF THE TASK FORCE.

20 (4) THE PERSON MAKING THE ORIGINAL APPOINTMENT OR
21 REAPPOINTMENT TO THE TASK FORCE SHALL FILL ANY VACANCY BY
22 APPOINTMENT FOR THE REMAINDER OF AN UNEXPIRED TERM. MEMBERS
23 APPOINTED OR REAPPOINTED SERVE AT THE PLEASURE OF THE APPOINTING
24 AUTHORITY AND CONTINUE TO SERVE UNTIL THE MEMBER'S SUCCESSOR IS
25 APPOINTED.

26 (5) NOTWITHSTANDING SECTION 2-2-326, EACH MEMBER OF THE
27 TASK FORCE SERVES WITHOUT COMPENSATION, AND A MEMBER IS NOT

1 ENTITLED TO REIMBURSEMENT FOR ANY EXPENSES ASSOCIATED WITH
2 SERVING ON THE TASK FORCE.

3 (6) THE INITIAL CO-CHAIRS SHALL CONVENE THE FIRST MEETING
4 OF THE TASK FORCE NO LATER THAN NOVEMBER 1, 2021. AT THE FIRST
5 MEETING, THE MEMBERS SHALL SELECT A CHAIR AND A VICE-CHAIR FROM
6 AMONG THE INITIAL CO-CHAIRS. THE TASK FORCE SHALL MEET AT LEAST
7 FOUR TIMES EACH YEAR AND AT SUCH OTHER TIMES AS IT DEEMS
8 NECESSARY. THE CHAIR AND VICE-CHAIR MAY ESTABLISH SUCH
9 ORGANIZATIONAL AND PROCEDURAL RULES AS ARE NECESSARY FOR THE
10 OPERATION OF THE TASK FORCE.

11 (7) THE PURPOSES OF THE TASK FORCE ARE:

12 (a) TO WORK DIRECTLY WITH POLICYMAKERS, PUBLIC HEALTH
13 ENTITIES, AND EDUCATIONAL INSTITUTIONS TO CREATE HEALTH
14 EDUCATIONAL PROGRAMS CONCERNING KIDNEY DISEASE AND TO INCREASE
15 AWARENESS OF KIDNEY DISEASE THROUGHOUT THE STATE OF COLORADO;

16 (b) TO EXAMINE CHRONIC KIDNEY DISEASE, TRANSPLANTATION,
17 LIVING AND DECEASED KIDNEY DONATION, AND THE HIGHER RATES OF
18 AFFLICTION IN MINORITY POPULATIONS; AND

19 (c) TO DEVELOP A SUSTAINABLE PLAN TO RAISE AWARENESS
20 ABOUT EARLY DETECTION OF KIDNEY DISEASE AND TO PROMOTE HEALTH
21 EQUITY, TRANSPLANTATION, AND TO REDUCE THE BURDEN OF KIDNEY
22 DISEASE THROUGHOUT THE STATE OF COLORADO, WHICH SHALL INCLUDE
23 AN ONGOING CAMPAIGN THAT INCORPORATES:

24 (I) HEALTH EDUCATION WORKSHOPS AND SEMINARS;

25 (II) PREVENTATIVE SCREENINGS;

26 (III) SOCIAL MEDIA CAMPAIGNS; AND

27 (IV) TELEVISION AND RADIO COMMERCIALS.

1 (8) THE DEPARTMENT SHALL PROVIDE ADMINISTRATIVE SUPPORT
2 TO THE TASK FORCE AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.
3 THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR
4 DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS
5 SECTION.

6 (9) ON OR BEFORE DECEMBER 1, 2023, THE TASK FORCE SHALL
7 SUBMIT ITS INITIAL REPORT, INCLUDING ITS FINDINGS AND
8 RECOMMENDATIONS ON THE ISSUES IDENTIFIED IN SUBSECTION (7) OF THIS
9 SECTION, TO THE GENERAL ASSEMBLY. NOTWITHSTANDING SECTION
10 24-1-136 (11), THE TASK FORCE SHALL SUBMIT FOLLOW-UP REPORTS
11 ISSUED EACH YEAR.

12 (10) FOLLOWING THE SUBMITTAL OF THE INITIAL REPORT
13 DESCRIBED IN SUBSECTION (9) OF THIS SECTION, THE NONELECTED
14 MEMBERS SHALL SELECT A NEW CHAIR AND A NEW VICE-CHAIR FROM
15 AMONG THE NONELECTED MEMBERS. EFFECTIVE IMMEDIATELY UPON THE
16 SELECTION OF THE NEW CHAIR AND NEW VICE-CHAIR:

17 (a) THE INITIAL CO-CHAIRS NO LONGER SERVE AS CHAIR AND
18 VICE-CHAIR; AND

19 (b) THE ELECTED MEMBERS ARE NO LONGER VOTING MEMBERS
20 AND SERVE ON THE TASK FORCE SOLELY IN AN ADVISORY CAPACITY.

21 (11) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2030.
22 BEFORE THE REPEAL, THE TASK FORCE IS SCHEDULED FOR REVIEW IN
23 ACCORDANCE WITH SECTION 2-3-1203.

24 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add** (21)
25 as follows:

26 **2-3-1203. Sunset review of advisory committees - legislative**
27 **declaration - definition - repeal.** (21) (a) THE FOLLOWING STATUTORY

1 AUTHORIZATIONS FOR THE DESIGNATED ADVISORY COMMITTEES WILL
2 REPEAL ON SEPTEMBER 1, 2030:

3 (I) THE KIDNEY DISEASE PREVENTION AND EDUCATION TASK FORCE
4 CREATED IN SECTION 25-1-131.

5 (b) THIS SUBSECTION (21) IS REPEALED, EFFECTIVE SEPTEMBER 1,
6 2032.

7 **SECTION 4. Appropriation.** For the 2021-22 state fiscal year,
8 \$71,529 is appropriated to the department of public health and
9 environment for use by the prevention services division. This
10 appropriation is from the general fund and is based on an assumption that
11 the division will require an additional 1.0 FTE. To implement this act, the
12 division may use this appropriation for the kidney disease task force
13 related to chronic disease prevention programs.

14 **SECTION 5. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety.