

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0929.01 Jacob Baus x2173

SENATE BILL 22-226

SENATE SPONSORSHIP

Jaquez Lewis and Rankin, Bridges, Buckner, Coleman, Donovan, Fenberg, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Kolker, Moreno, Pettersen, Rodriguez, Simpson, Story

HOUSE SPONSORSHIP

Mullica,

Senate Committees

Health & Human Services
Appropriations

House Committees

Health & Insurance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO SUPPORT THE HEALTH-CARE WORKFORCE,**
102 **AND, IN CONNECTION THEREWITH, 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 health-care workforce resilience and retention program (program) using existing initiatives to ensure that Colorado's health-care workforce is adequately supported in order to meet the health-care demands of Coloradans and to support the resilience, well-being, and retention of health-care workers. The program is

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.

SENATE
3rd Reading Unamended
May 3, 2022

SENATE
Amended 2nd Reading
May 2, 2022

authorized to seek and expend gifts, grants, and donations to support the program. The program is exempt from the procurement code. The bill appropriates \$2 million from the economic recovery and relief cash fund for the program.

The bill creates the practice-based health education grant program (grant program) to increase practice-based training opportunities necessary for health profession students enrolled in accredited Colorado schools to complete degree requirements and become licensed to practice. The primary care office in the department of public health and environment administers the grant program and shall conduct a stakeholder engagement process to determine key operational components of the grant program policies and procedures. The bill appropriates \$20 million from the economic recovery and relief cash fund for the grant program.

The bill directs the state board of community colleges and occupational education (board) to administer the in-demand short-term health-care credentials program in order to support the expansion of available health-care professionals. The bill appropriates \$26 million from the economic recovery and relief cash fund for these programs. The board shall allocate funds to community colleges, area technical colleges, local district colleges, and community not-for-profit organizations that deliver hybrid programming that leverages place-based supports in partnership with online accredited university programs through reimbursement based on students enrolled in eligible programs for fiscal years 2022-23 to 2025-26 to:

- Provide assistance for tuition, fees, and course materials for eligible programs;
- Support alignment with existing efforts, such as apprenticeship and work-based learning, for students to earn eligible program credentials that lead into health-care careers such as nursing; and
- If unexpended resources exist or if the program use is less than anticipated, to expand eligible programs in allied health based on in-demand credential needs or include high school equivalency support and attainment for students without a high school degree who participate in the program.

The bill requires the primary care office and the governor's office of information technology to work through the government data advisory board to determine data-sharing agreements that integrate data collected by the state under existing authorities that may inform the analysis of need, allocation of resources, and evaluation of performance of state-administered or state-financed health workforce planning or development initiatives.

Under current law, a nurse who holds a volunteer nurse license

cannot get paid for nursing tasks. The bill removes this limitation.

The bill directs the nurse-physician advisory task force for Colorado health care to make recommendations on:

- Alignment of health-care licensing with federal statutory minimums;
- Identification of unnecessary regulatory burdens or barriers;
- Regulatory reforms that support health-care licensees to work at their full scope of practice; and
- Feasibility of temporary candidate licenses for students nearing the completion of an accredited health-care program.

The bill makes the following changes and additions to the school nurse grant program:

- Repeals the requirement of a 5-year grant cycle;
- Requires that the grant supplement, not supplant, funding for school nurse positions existing in the local education provider's most recent fiscal year prior to applying for a grant;
- Directs the department of public health and environment to annually award grants; and
- Appropriates \$3 million to the department of public health and environment for the grant program from the economic recovery and relief cash fund.

The bill appropriates \$10 million from the economic recovery and relief cash fund to the department of public health and environment. The department shall use this appropriation for recruitment and re-engagement efforts of workers in the health-care profession with current or expired licenses and staffing.

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

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

4 (a) All Coloradans owe a significant debt of gratitude to our
5 health-care, public health, emergency medical services, behavioral health,
6 and direct care workforce who displayed perseverance, dedication,
7 resilience, and bravery through the COVID-19 pandemic;

8 (b) As Colorado emerges from the COVID-19 pandemic and our

1 demographics continue to shift over the coming decades, strategic
2 investments and initiatives will be necessary in order to develop our
3 health-care workforce so that all Coloradans have equitable access to care
4 when needed; and

5 (c) In order to meet this challenge, we will need collaborative
6 partnerships across health-care providers, school systems, institutes of
7 higher education, and all levels of government that build on existing
8 efforts and capitalize on emerging opportunities.

9 (2) Therefore, the general assembly declares that it is necessary to
10 intentionally recruit, support, and retain skilled talent in Colorado's
11 health-care, public health, emergency medical services, behavioral health
12 and direct care workforce, and the general assembly further declares that
13 supporting Colorado's health-care workforce is a critical government
14 service.

15 **SECTION 2.** In Colorado Revised Statutes, **add** part 14 to article
16 20.5 of title 25 as follows:

17 PART 14

18 HEALTH-CARE WORKFORCE

19 RESILIENCE AND RETENTION PROGRAM

20 **25-20.5-1401. Definitions.** AS USED IN THIS PART 14, UNLESS THE
21 CONTEXT OTHERWISE REQUIRES:

22 (1) "COMMUNITY PARTNERS" MEANS HEALTH-CARE PROVIDERS,
23 HEALTH-CARE PROVIDER TRADE ASSOCIATIONS, AND
24 HEALTH-CARE-FOCUSED NONPROFIT ORGANIZATIONS.

25 (2) "PEER SUPPORT" MEANS PROGRAMS AND SERVICES THAT
26 MATCH A PERSON WITH LIVED OR OCCUPATIONAL EXPERIENCE TO AN
27 INDIVIDUAL WITH A SIMILAR LIVED OR OCCUPATIONAL EXPERIENCE.

1 (3) "PRE-CLINICAL" MEANS NONEMERGENCY PROGRAMS OR
2 SERVICES THAT DO NOT REQUIRE A FORMAL REFERRAL FROM A PRIMARY
3 CARE PROVIDER.

4 **25-20.5-1402. Health-care workforce resilience and retention**
5 **program - implementation - duties.** (1) SUBJECT TO AVAILABLE
6 APPROPRIATIONS, THE DEPARTMENT SHALL IMPLEMENT THE HEALTH-CARE
7 WORKFORCE RESILIENCE AND RETENTION PROGRAM, REFERRED TO IN THIS
8 SECTION AS THE "PROGRAM", USING EXISTING INITIATIVES TO ENSURE
9 THAT COLORADO'S HEALTH-CARE WORKFORCE IS SUPPORTED IN ORDER TO
10 MEET THE HEALTH-CARE DEMANDS OF COLORADANS.

11 (2) THE PROGRAM IS INTENDED TO SUPPORT THE RESILIENCE,
12 WELL-BEING, AND RETENTION OF HEALTH-CARE WORKERS. ACTIVITIES
13 MAY INCLUDE:

14 (a) PROVIDING TECHNICAL ASSISTANCE, GUIDANCE, AND FUNDING
15 SUPPORT TO COMMUNITY PARTNERS SPECIFIC TO THE DEVELOPMENT OF
16 PROGRAMS AND SERVICES AIMED AT RETAINING HEALTH-CARE WORKERS,
17 SUCH AS BEST PRACTICES AND STRATEGIES:

18 (I) THAT PROMOTE HEALTHY WORK CULTURES;

19 (II) THAT PROMOTE THE ADOPTION OF INTERNAL EMPLOYEE
20 ASSISTANCE PROGRAMS;

21 (III) THAT PROMOTE EXTERNAL THIRD-PARTY SUPPORT AND
22 RESILIENCE PROGRAMS; AND

23 (IV) FOR GREATER PARTNERSHIPS BETWEEN CARE PROVIDERS AND
24 FACILITY AND SYSTEM EXECUTIVE LEADERSHIP;

25 (b) COLLABORATIVE PARTNERSHIPS WITH COMMUNITY PARTNERS,
26 SUCH AS THE DEVELOPMENT, IMPLEMENTATION, AND EVALUATION OF:

27 (I) PEER SUPPORT PROGRAMS AND SERVICES;

1 (II) PRE-CLINICAL IN-PERSON AND TELEHEALTH SERVICES;

2 (III) TRAINING PROGRAMS; AND

3 (IV) RECOVERY AND RESILIENCE COACHING FOR STAFF AND
4 LEADERSHIP;

5 (c) PLANNING, RESEARCH, AND EVALUATION THAT SUPPORTS THE
6 RESILIENCE, WELL-BEING, AND RETENTION OF HEALTH-CARE WORKERS.

7 (3) THE DEPARTMENT MAY USE GIFTS, GRANTS, OR DONATIONS TO
8 SUPPORT THE PROGRAM OR MATCHING FUNDS FROM HEALTH-CARE
9 EMPLOYERS.

10 **25-20.5-1403. Health-care workforce resilience and retention**

11 **cash fund.** (1) THE HEALTH-CARE WORKFORCE RESILIENCE AND
12 RETENTION CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS
13 CREATED IN THE STATE TREASURY. THE GENERAL ASSEMBLY SHALL
14 APPROPRIATE TWO MILLION DOLLARS TO THE FUND FROM THE ECONOMIC
15 RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228. THE
16 FUND CONSISTS OF GIFTS, GRANTS, AND DONATIONS AND ANY OTHER
17 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER
18 TO THE FUND.

19 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
20 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
21 FUND TO THE FUND.

22 (3) ANY UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND
23 REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR REMAINS IN THE
24 FUND AND IS NOT TRANSFERRED TO THE GENERAL FUND OR ANY OTHER
25 FUND.

26 (4) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
27 DEPARTMENT FOR THE PURPOSES DESCRIBED IN SECTION 25-20.5-1402.

1 **25-20.5-1404. Exemption from the procurement code.**

2 NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, THE PROGRAM
3 AND THE EXPENDITURE OF MONEY FROM THE FUND ARE NOT SUBJECT TO
4 THE PROVISIONS OF THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF
5 TITLE 24.

6 **SECTION 3.** In Colorado Revised Statutes, 25-1.5-404, **amend**
7 (1)(f); and **add** (1)(h) and (1)(i) as follows:

8 **25-1.5-404. Primary care office - powers and duties - rules.**

9 (1) The primary care office has, at a minimum, the following powers and
10 duties:

11 (f) To seek and accept public or private gifts, grants, or donations
12 to apply to the costs incurred in fulfilling the duties specified in this
13 section and otherwise administering the programs within the office; ~~and~~

14 (h) TO DEVELOP AND ADMINISTER THE PRACTICE-BASED HEALTH
15 EDUCATION GRANT PROGRAM AS DESCRIBED IN SECTION 25-1.5-407; AND

16 (i) WITH THE GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY,
17 TO WORK THROUGH THE GOVERNMENT DATA ADVISORY BOARD, CREATED
18 IN SECTION 24-37.5-702, TO DETERMINE DATA-SHARING AGREEMENTS
19 THAT INTEGRATE DATA COLLECTED BY THE STATE UNDER EXISTING
20 AUTHORITIES THAT MAY INFORM THE ANALYSIS OF NEED, ALLOCATION OF
21 RESOURCES, AND EVALUATION OF PERFORMANCE OF STATE-ADMINISTERED
22 OR STATE-FINANCED HEALTH WORKFORCE PLANNING OR DEVELOPMENT
23 INITIATIVES.

24 **SECTION 4.** In Colorado Revised Statutes, **add** 25-1.5-407 as
25 follows:

26 **25-1.5-407. Practice-based health education grant program -**
27 **creation - powers and duties.** (1) SUBJECT TO AVAILABLE

1 APPROPRIATIONS, THE DEPARTMENT SHALL IMPLEMENT THE
2 PRACTICE-BASED HEALTH EDUCATION GRANT PROGRAM, REFERRED TO IN
3 THIS SECTION AS THE "GRANT PROGRAM", TO INCREASE PRACTICE-BASED
4 TRAINING OPPORTUNITIES NECESSARY FOR HEALTH PROFESSION STUDENTS
5 ENROLLED IN ACCREDITED COLORADO SCHOOLS TO COMPLETE DEGREE
6 REQUIREMENTS AND BECOME LICENSED TO PRACTICE.

7 (2) (a) THE GRANT PROGRAM SHALL SUPPORT THE EXPANSION OF
8 PRACTICE-BASED TRAINING BY PROVIDING GRANTS TO ORGANIZATIONS
9 THAT INCREASE CLINICAL PRACTICE-BASED TRAINING CAPACITY FOR
10 HEALTH PROFESSION STUDENTS. THE GRANT PROGRAM SHALL GIVE
11 PRIORITY TO STUDENTS FROM THE COLORADO PUBLIC INSTITUTIONS OF
12 HIGHER EDUCATION THAT OFFER CLINICAL-BASED TRAINING TO STUDENTS.
13 ORGANIZATIONS THAT RECEIVE GRANTS MAY APPLY GRANT FUNDING TO
14 COSTS ASSOCIATED WITH STUDENT EXPERIENCE COORDINATION, CLINICAL
15 INSTRUCTORS OR PRECEPTORS, OR ANY OTHER REASONABLE COSTS
16 DIRECTLY ASSOCIATED WITH THE EXPANSION OF PRACTICE-BASED
17 TRAINING FOR HEALTH PROFESSION STUDENTS IN THE ORGANIZATION.

18 (b) THE PRIMARY CARE OFFICE SHALL CONSIDER THE ABILITY OF
19 THE ORGANIZATIONS APPLYING FOR A GRANT TO PROVIDE FINANCIAL OR
20 IN-KIND MATCHING SUPPORT WHEN THE OFFICE DETERMINES GRANT
21 AWARDEES, BUT THE OFFICE SHALL AVOID DISADVANTAGING SMALL,
22 RURAL, OR NONPROFIT APPLICANTS WITH A HIGH PUBLIC PAYER MIX OR
23 APPLICANTS THAT DISPROPORTIONATELY PROVIDE UNCOMPENSATED CARE.

24 (3) THE PRIMARY CARE OFFICE, REFERRED TO IN THIS SECTION AS
25 THE "OFFICE", SHALL ADMINISTER THE GRANT PROGRAM.

26 (4) IN THE DEVELOPMENT OF THE GRANT PROGRAM, THE OFFICE
27 SHALL CONDUCT A STAKEHOLDER ENGAGEMENT PROCESS TO RECOMMEND:

- 1 (a) GRANT PROGRAM ELIGIBILITY CRITERIA;
- 2 (b) STANDARDS TO MEASURE APPLICANT CAPACITY TO EXPAND
3 PRACTICE-BASED TRAINING BASED UPON PREVIOUS YEARS;
- 4 (c) A MEANS TO EVALUATE APPLICANT STRATEGIES FOR REACHING
5 EXPECTED TARGET PRACTICE-BASED TRAINING EXPANSION GOALS;
- 6 (d) WAYS TO PROMOTE EVIDENCE-BASED TECHNOLOGY-ENHANCED
7 CLINICAL LEARNING OPPORTUNITIES IN ORGANIZATIONS AWARDED A
8 GRANT. THESE OPPORTUNITIES MUST INCLUDE CLINICAL SIMULATION LAB
9 INVESTMENTS IN AT LEAST ONE GRANT AWARD.
- 10 (e) WAYS TO EVALUATE APPLICANT PRINCIPLES THAT ARE ALIGNED
11 WITH IMPLEMENTING LASTING ORGANIZATIONAL CULTURE CHANGE AND
12 INTERNAL PLANS THAT SUPPORT STAFF WELLNESS, RETENTION, AND
13 TRAINING, SUCH AS:
- 14 (I) EXPANDED EMPLOYEE ASSISTANCE OR WELLNESS PROGRAMS;
- 15 (II) COMMITMENT TO ESTABLISHING AND MAINTAINING STAFFING
16 COMMITTEES TASKED WITH OPERATIONAL INPUT AND REVIEW OF
17 WORKPLACE PRACTICES; AND
- 18 (III) STRATEGIES FOR SUSTAINING INCREASED PRECEPTOR AND
19 PRACTICE-BASED TRAINING CAPACITY;
- 20 (f) A STATEMENT OF PRINCIPLES ALIGNED WITH EQUITY,
21 INCLUSION, AND DIVERSITY GOALS, ESPECIALLY AS THEY RELATE TO
22 HEALTH PROFESSIONAL WORKFORCE TRAINING AND DEVELOPMENT; AND
- 23 (g) METRICS AND REPORTING RESPONSIBILITIES FOR GRANTEEES.
- 24 (5) THE GENERAL ASSEMBLY SHALL APPROPRIATE TWENTY
25 MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH
26 FUND CREATED IN SECTION 24-75-228 TO THE DEPARTMENT TO IMPLEMENT
27 THE GRANT PROGRAM. ANY UNEXPENDED MONEY REMAINING AT THE END

1 OF THE 2022-23 STATE FISCAL YEAR FROM THIS APPROPRIATION:

2 (a) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER
3 FUND;

4 (b) MAY BE USED BY THE DEPARTMENT IN THE 2023-24 OR
5 2024-25 STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION; AND

6 (c) MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE
7 PURPOSES SET FORTH IN THIS SECTION.

8 (6) AS USED IN THIS SECTION, "PRECEPTOR" MEANS A
9 HEALTH-CARE PROFESSIONAL WHO IS REGISTERED, CERTIFIED, OR
10 LICENSED, AS APPROPRIATE, PURSUANT TO TITLE 12 AND WHO ASSUMES
11 THE RESPONSIBILITY OF TEACHING, SUPERVISING, AND EVALUATING A
12 STUDENT SEEKING A CREDENTIAL IN A HEALTH-CARE PROFESSION
13 DISCIPLINE AS PART OF THE STUDENT'S CLINICAL TRAINING AND
14 EDUCATION.

15 **SECTION 5.** In Colorado Revised Statutes, **add 23-3.3-1008** as
16 follows:

17 **23-3.3-1008. Support for in-demand short-term health-care**
18 **credentials - report - definitions - repeal.** (1) SUBJECT TO AVAILABLE
19 APPROPRIATIONS, THE STATE BOARD FOR COMMUNITY COLLEGES AND
20 OCCUPATIONAL EDUCATION, IN COORDINATION WITH ITS CAREER AND
21 TECHNICAL EDUCATION ROLE AND MISSION AS COLORADO'S STATE
22 ADMINISTRATOR OF THE FEDERAL "CARL D. PERKINS CAREER AND
23 TECHNICAL EDUCATION IMPROVEMENT ACT OF 1998", 20 U.S.C. SEC.
24 2301 ET SEQ., AS AMENDED, SHALL ADMINISTER THE IN-DEMAND
25 SHORT-TERM HEALTH-CARE CREDENTIALS PROGRAM OR CARE FORWARD
26 COLORADO, REFERRED TO IN THIS SECTION AS THE "PROGRAM", IN ORDER
27 TO SUPPORT THE EXPANSION OF AVAILABLE HEALTH-CARE PROFESSIONALS.

1 (2) THE STATE BOARD FOR COMMUNITY COLLEGES AND
2 OCCUPATIONAL EDUCATION SHALL ALLOCATE MONEY TO COMMUNITY
3 COLLEGES, AREA TECHNICAL COLLEGES, LOCAL DISTRICT COLLEGES, AND
4 COMMUNITY NOT-FOR-PROFIT ORGANIZATIONS THAT DELIVER HYBRID
5 PROGRAMMING THAT LEVERAGES PLACE-BASED SUPPORTS IN PARTNERSHIP
6 WITH LOCAL DISTRICT COLLEGES, COMMUNITY COLLEGES, AND AREA
7 TECHNICAL COLLEGES THROUGH REIMBURSEMENT BASED ON STUDENTS
8 ENROLLED IN ELIGIBLE PROGRAMS FOR FISCAL YEARS 2022-23 TO 2025-26
9 TO:

10 (a) PROVIDE ASSISTANCE FOR TUITION, FEES, AND COURSE
11 MATERIALS FOR ELIGIBLE PROGRAMS;

12 (b) SUPPORT ALIGNMENT WITH EXISTING EFFORTS, SUCH AS
13 APPRENTICESHIP AND WORK-BASED LEARNING, FOR STUDENTS TO EARN
14 ELIGIBLE PROGRAM CREDENTIALS THAT LEAD INTO HEALTH-CARE CAREERS
15 SUCH AS NURSING; AND

16 (c) IF UNEXPENDED RESOURCES EXIST OR IF THE PROGRAM USE IS
17 LESS THAN ANTICIPATED, TO EXPAND ELIGIBLE PROGRAMS IN ALLIED
18 HEALTH BASED ON IN-DEMAND CREDENTIAL NEEDS OR INCLUDE HIGH
19 SCHOOL EQUIVALENCY SUPPORT AND ATTAINMENT FOR STUDENTS
20 WITHOUT A HIGH SCHOOL DEGREE WHO PARTICIPATE IN THE PROGRAM.

21 (3) IN ALLOCATING THE MONEY PURSUANT TO SUBSECTION (2) OF
22 THIS SECTION, THE FIRST PRIORITY IS FOR STUDENTS ENROLLED IN ELIGIBLE
23 ALLIED HEALTH PROGRAMS WITH NURSING AIDE PROGRAMS AND THE
24 SECOND PRIORITY IS FOR STUDENTS ENROLLED IN AN EMERGENCY MEDICAL
25 TECHNICIAN PROGRAM.

26 (4) THE PROGRAM BEGINS NO LATER THAN THE 2022-23 ACADEMIC
27 YEAR.

1 (5) DEPENDING ON THE CREDENTIAL PATHWAY, STUDENTS
2 PARTICIPATING IN THE PROGRAM MUST COMPLETE A FREE APPLICATION
3 FOR FEDERAL STUDENT AID OR COLORADO APPLICATION FOR THE COLLEGE
4 OPPORTUNITY FUND AND STATE FINANCIAL AID AND SUBMIT AN
5 APPLICATION FOR THE COLLEGE OPPORTUNITY SCHOLARSHIP INITIATIVE
6 FUND. SUBJECT TO AVAILABLE APPROPRIATIONS, THE PROGRAM
7 RESOURCES MUST COVER REMAINING TUITION, FEES, BOOKS, AND
8 MATERIAL COSTS.

9 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
10 REQUIRES, "ELIGIBLE PROGRAMS" MEANS IN-DEMAND CREDENTIALS IN
11 ALLIED HEALTH CARE LESS THAN ONE YEAR IN DURATION THROUGH
12 CAREER AND TECHNICAL EDUCATION PROGRAMS, INCLUDING CERTIFIED
13 NURSING ASSISTANT, EMERGENCY MEDICAL TECHNICIAN, PHLEBOTOMY
14 TECHNICIAN, PHARMACY TECHNICIAN, MEDICAL ASSISTANT, AND DENTAL
15 ASSISTANT.

16 (7) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
17 ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT FOR ALLOCATION BY
18 THE BOARD TWENTY-SIX MILLION DOLLARS FROM THE ECONOMIC
19 RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228 FOR
20 THE ELIGIBLE PROGRAMS, OF WHICH TWENTY-FIVE THOUSAND DOLLARS
21 MAY BE USED FOR PURPOSES OF MARKETING THE PROGRAM AND ONE
22 PERCENT MAY BE USED FOR ADMINISTRATION PURSUANT TO THIS SECTION.
23 ANY UNEXPENDED MONEY REMAINING AT THE END OF THE 2022-23 STATE
24 FISCAL YEAR FROM THIS APPROPRIATION:

- 25 (I) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;
- 26 (II) MAY BE USED BY THE BOARD IN THE 2023-24 OR 2024-25
- 27 STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION; AND

1 (III) MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN
2 THE PURPOSES SET FORTH IN THIS SECTION.

3 (b) IN ADDITION TO THE APPROPRIATION IN THIS SECTION AND
4 SUBJECT TO AVAILABLE APPROPRIATIONS, THE BOARD MAY SEEK GIFTS,
5 GRANTS, AND DONATIONS FOR THE PROGRAM.

6 (8) BEGINNING JANUARY 1, 2023, THE DEPARTMENT SHALL
7 INCLUDE A SUMMARIZED REPORT REGARDING THE PROGRAM IN THE
8 DEPARTMENT'S ANNUAL PRESENTATION TO THE COMMITTEES OF
9 REFERENCE PURSUANT TO SECTION 2-7-203. NOTWITHSTANDING SECTION
10 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT IN THIS SUBSECTION
11 (8) CONTINUES INDEFINITELY.

12 (9) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

13 **SECTION 6.** In Colorado Revised Statutes, 12-255-115, **amend**
14 (3) as follows:

15 **12-255-115. Volunteer nurse licensure.** (3) ~~A nurse who holds~~
16 ~~a volunteer nursing license shall not accept compensation for nursing~~
17 ~~tasks that are performed while in possession of the license.~~ A volunteer
18 nursing license shall permit the nurse to engage in volunteer nursing tasks
19 within the scope of the nurse's license.

20 **SECTION 7.** In Colorado Revised Statutes, 12-30-105, **amend**
21 (5)(i); and **add** (5)(k), (5)(l), (5)(m), and (5)(n) as follows:

22 **12-30-105. Nurse-physician advisory task force for Colorado**
23 **health care - creation - duties - definition - repeal.** (5) The NPATCH
24 shall prioritize consideration of and make recommendations on the
25 following topics:

26 (i) Physician standards, process, and metrics to ensure appropriate
27 consultation, collaboration, and referral regarding advanced practice

- 1 registered nurse prescriptive authority; ~~and~~
- 2 (k) ALIGNMENT OF HEALTH-CARE LICENSING WITH FEDERAL
- 3 STATUTORY MINIMUMS;
- 4 (l) IDENTIFICATION OF UNNECESSARY REGULATORY BURDENS OR
- 5 BARRIERS;
- 6 (m) REGULATORY REFORMS THAT SUPPORT HEALTH-CARE
- 7 LICENSEES TO WORK AT THEIR FULL SCOPE OF PRACTICE; AND
- 8 (n) FEASIBILITY OF TEMPORARY CANDIDATE LICENSES FOR
- 9 STUDENTS NEARING THE COMPLETION OF AN ACCREDITED HEALTH-CARE
- 10 PROGRAM. AT A MINIMUM, THEY MUST CONSIDER REIMBURSEMENT,
- 11 LIABILITY, AND HEALTH AND SAFETY ISSUES IN THEIR ANALYSIS.

12 **SECTION 8.** In Colorado Revised Statutes, 24-75-112, **amend**

13 (1)(d)(V) as follows:

14 **24-75-112. Annual general appropriation act - headnote**

15 **definitions - general provisions - footnotes.** (1) As used in the annual

16 general appropriation act, the following definitions and general provisions

17 shall apply for the headnote terms preceding and specifying the purpose

18 of certain line items of appropriation:

19 (d) (V) The number of FTE specified in a particular item of

20 appropriation is the number utilized to calculate the amount appropriated

21 and necessary to fund any combination of part-time positions or full-time

22 positions equal to such number for the fiscal year to which the annual

23 general appropriation act pertains in accordance with the definition

24 contained in ~~subparagraphs (I) and (II) of this paragraph (d)~~ SUBSECTIONS

25 (1)(d)(II) AND (1)(d)(III) OF THIS SECTION and is not a limitation on the

26 number of FTE that may be employed. No department shall make a

27 material change in the number of FTE specified in a particular item of

1 appropriation prior to notifying the joint budget committee in writing of
2 such change. THIS SUBSECTION (1)(d)(IV) DOES NOT APPLY TO
3 DEPARTMENT OF PERSONNEL AND ADMINISTRATION STATE TRAINEE
4 POSITIONS.

5 **SECTION 9.** In Colorado Revised Statutes, 25-1.5-406, **amend**
6 (3), (4)(a), (5)(e), and (6); and **add** (9) and (10) as follows:

7 **25-1.5-406. School nurse grant program - creation - eligibility**
8 **- award of grants - rules - report - legislative declaration - definitions.**

9 (3) There is created in the department the school nurse grant program to
10 award grants ~~on a five-year grant cycle~~ to local education providers to
11 increase the number of school nurses in Colorado public schools. The
12 grant program ~~shall be~~ IS administered by the primary care office in the
13 department. The state board may promulgate rules, as necessary, to
14 implement the grant program.

15 (4) (a) Except as provided in subsection (4)(b) of this section, a
16 local education provider awarded a grant pursuant to this section shall use
17 the grant money to hire a school nurse or nurses in the selected school or
18 schools. The grant shall supplement, not supplant, a local education
19 provider's funding for school nurse positions and student health-care
20 services ~~existing prior to May 29, 2019,~~ EXISTING IN THE LOCAL
21 EDUCATION PROVIDER'S MOST RECENT FISCAL YEAR PRIOR TO THE YEAR OF
22 THE APPLICATION TO THE GRANT PROGRAM.

23 (5) In applying for a grant, in addition to complying with the
24 application process and requirements established by the department or
25 state board rule, a local education provider seeking a grant shall include
26 the following information in the grant application:

27 (e) The amount of money necessary to attract and retain a school

1 nurse in the school or schools of the local education provider for the
2 five-year grant cycle and whether the local education provider intends to
3 supplement a grant with any additional money to hire the school nurse
4 position or positions; and

5 (6) (a) Subject to available appropriations, the state board shall
6 award up to three million dollars annually in grants. Each grant has an
7 initial term of one year and shall be renewed annually for an additional
8 four years as long as a school nurse is retained in the grant-funded
9 position and the local education provider continues to use the grant
10 money for authorized purposes. DEPARTMENT SHALL ANNUALLY AWARD
11 GRANTS IN THE GRANT PROGRAM. The state board DEPARTMENT may fund
12 more than one school nurse position per grant recipient. The amount of
13 the grant must cover up to the cost of hiring a school nurse position or
14 positions in the local education provider's selected school or schools.

15 (b) Subject to available appropriations, at the end of the initial
16 five-year grant cycle and each subsequent five-year grant cycle, the
17 department shall solicit and review grant applications, and the state board
18 shall award new grants.

19 (c) The department shall review grant program applications and
20 make recommendations to the state board concerning the award of grants.
21 In awarding grants, the state board may establish by rule additional
22 selection criteria but shall give preference to an applicant that:

23 (I) Is a small rural school district or rural school district; or

24 (II) Is eligible to receive money under Title I, part A of the federal
25 "Elementary and Secondary Education Act of 1965", 20 U.S.C. sec. 6301
26 et seq.

27 (9) THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION

1 DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND
2 CREATED IN SECTION 24-75-228 TO THE DEPARTMENT FOR THE PROGRAM.

3 (10) THE DEPARTMENT AND ANY PERSON WHO RECEIVES MONEY
4 FROM THE DEPARTMENT SHALL COMPLY WITH THE COMPLIANCE,
5 REPORTING, RECORD-KEEPING, AND PROGRAM EVALUATION
6 REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE PLANNING AND
7 BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE WITH SECTION
8 24-75-226 (5).

9 **SECTION 10.** In Colorado Revised Statutes, 25-1.5-102, **add**
10 (1)(e) as follows:

11 **25-1.5-102. Epidemic and communicable diseases - powers and**
12 **duties of department - rules - definitions.** (1) The department has, in
13 addition to all other powers and duties imposed upon it by law, the
14 powers and duties provided in this section as follows:

15 (e) FOR FISCAL YEAR 2022-23, THE GENERAL ASSEMBLY SHALL
16 APPROPRIATE TEN MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND
17 RELIEF CASH FUND CREATED IN SECTION 24-75-228 TO THE DEPARTMENT.
18 THE DEPARTMENT SHALL USE THIS APPROPRIATION FOR RECRUITMENT AND
19 RE-ENGAGEMENT EFFORTS OF WORKERS IN THE HEALTH-CARE PROFESSION
20 WITH CURRENT OR EXPIRED LICENSES AND STAFFING.

21 **SECTION 11. Appropriation.** (1) For the 2022-23 state fiscal
22 year, \$35,000,000 is appropriated to the department of public health and
23 environment. This appropriation is from the economic recovery and relief
24 cash fund created in section 24-75-228 (2)(a), C.R.S., and is of money the
25 state recieved from the coronavirus state fiscal recovery fund. To
26 implement this act, the department may use this appropriation as follows:

27 (a) \$2,000,000 for use by the office of emergency preparedness

1 and response for the appropriation to the health care workforce and
2 resilience and retention cash fund;

3 (b) \$10,000,000 for use by disease control and public health
4 response for immunization operating expenses; and

5 (c) \$23,000,000 for use by the prevention services division for the
6 primary care office.

7 (2) For the 2022-23 state fiscal year, \$26,000,000 is appropriated
8 to the department of higher education. This appropriation is from the
9 economic recovery and relief cash fund created in section 24-75-228
10 (2)(a) C.R.S., and is of money the state recieved from the coronavirus
11 state fiscal recovery fund. To implement this act, the department may use
12 this appropriation for the state board for community colleges and
13 occupational education state system community colleges.

14 **SECTION 12. 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.