

CHAPTER 86

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 22-1227

BY REPRESENTATIVE(S) Mullica, Lontine, McCormick, Titone, Esgar, Exum;
also SENATOR(S) Smallwood.

AN ACT

CONCERNING THE CONTINUATION OF THE HEALTH-CARE WORK FORCE DATA ADVISORY GROUP, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATION IN THE DEPARTMENT OF REGULATORY AGENCIES' SUNSET REPORT TO REPEAL THE ADVISORY GROUP.

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

SECTION 1. In Colorado Revised Statutes, 12-30-106, **amend** (1) and (2); and **repeal** (3) as follows:

12-30-106. Health-care work force data collection. (1) ~~On or before July 1, 2013,~~ The director of the division shall implement a system to collect health-care work force data from health-care professionals who are eligible for the Colorado health service corps pursuant to part 5 of article 1.5 of title 25, from practical and professional nurses licensed pursuant to part 1 of article 255 of this title 12, and from pharmacists licensed pursuant to article 280 of this title 12, collectively referred to in this section as "health-care professionals". Each health-care professional shall submit the data as part of the initial licensure process and upon the renewal of the health-care professional's license. Neither an executive department nor a board in an executive department is responsible for verifying the data or disciplining a health-care professional for noncompliance with this section.

(2) (a) The director of the division shall request each health-care professional to provide data recommended by the director of the primary care office created pursuant to section 25-1.5-403 in the department of public health and environment. ~~in consultation with the advisory group formed pursuant to subsection (3) of this section.~~ The director of the division has final approval authority regarding the form and manner of the data collected. The data collected concerns:

~~(a)~~ (I) Each practice address of the health-care professional;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~(b)~~ (II) The number of hours the health-care professional provides direct patient care at each practice location;

~~(c)~~ (III) Any specialties of the health-care professional, if applicable;

~~(d)~~ (IV) Information about each practice setting type;

~~(e)~~ (V) The health-care professional's education and training related to the health-care professional's profession; and

~~(f)~~ (VI) The year of birth of the health-care professional.

(b) THE DIRECTOR OF THE DIVISION SHALL ENSURE THAT THE DATA PROVIDED BY HEALTH-CARE PROFESSIONALS IS AVAILABLE TO THE PRIMARY CARE OFFICE IN ELECTRONIC FORMAT FOR ANALYSIS. A MEMBER OF THE PUBLIC MAY REQUEST, IN WRITING, UNANALYZED DATA FROM THE PRIMARY CARE OFFICE. DATA AVAILABLE TO THE PUBLIC MUST BE LIMITED TO UNIQUE RECORDS THAT DO NOT INCLUDE NAMES OR OTHER IDENTIFYING INFORMATION.

~~(3) (a) (I) The director of the primary care office shall designate an advisory group comprised of:~~

~~(A) A representative of the department of regulatory agencies as determined by the executive director;~~

~~(B) The director of the division or the director's designee;~~

~~(C) Representatives of the affected health-care professions; and~~

~~(D) Individuals with expertise in health-care work force research, analysis, and planning.~~

~~(II) The advisory group is to be convened by a nonprofit statewide membership organization that provides programs and services to enhance rural health care in Colorado.~~

~~(III) The members of the advisory group shall serve without compensation or reimbursement for actual or necessary expenses incurred in the performance of their duties.~~

~~(IV) The advisory group shall recommend the structure of the data elements in subsection (2) of this section. The advisory group shall consider, but is not limited to using, the division's existing data fields as a possible structure for the data elements recommended in this section. The director of the division has final approval authority regarding the structure of the data elements.~~

(b) The director of the division shall ensure that the data provided by health-care professionals is available to the primary care office in electronic format for analysis. A member of the public may request, in writing, unanalyzed data from the primary care office. Data available to the public must be limited to unique records that do

~~not include names or other identifying information.~~

~~(c) The advisory group is repealed, effective September 1, 2022. Before the repeal, the advisory group is scheduled for review in accordance with section 2-3-1203.~~

SECTION 2. In Colorado Revised Statutes, 2-3-1203, **repeal** (13)(a)(I) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (13) (a) The following statutory authorizations for the designated advisory committees are scheduled for repeal on September 1, 2022:

~~(I) The advisory group appointed by the director of the primary care office pursuant to section 12-30-106 (3);~~

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 12, 2022