

CHAPTER 179

PROFESSIONS AND OCCUPATIONS

SENATE BILL 22-226

BY SENATOR(S) Jaquez Lewis and Rankin, Bridges, Buckner, Coleman, Donovan, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Kolker, Moreno, Pettersen, Priola, Rodriguez, Simpson, Story, Fenberg;
 also REPRESENTATIVE(S) Mullica, Amabile, Bacon, Bennett, Bird, Boesenecker, Caraveo, Duran, Exum, Herod, Hooton, Jodeh, Kennedy, Kipp, Lindsay, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Ortiz, Ricks, Roberts, Soper, Tipper, Titone, Valdez A., Valdez D., Woodrow, Young.

AN ACT

CONCERNING MEASURES TO SUPPORT THE HEALTH-CARE WORKFORCE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

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

(b) As Colorado emerges from the COVID-19 pandemic and our demographics continue to shift over the coming decades, strategic investments and initiatives will be necessary in order to develop our health-care workforce so that all Coloradans have equitable access to care when needed; and

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

(2) Therefore, the general assembly declares that it is necessary to intentionally recruit, support, and retain skilled talent in Colorado's health-care, public health, emergency medical services, behavioral health and direct care workforce, and the

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.

general assembly further declares that supporting Colorado's health-care workforce is a critical government service.

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

PART 14
HEALTH-CARE WORKFORCE
RESILIENCE AND RETENTION PROGRAM

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

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

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

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

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

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

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

(I) THAT PROMOTE HEALTHY WORK CULTURES;

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

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

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

(b) COLLABORATIVE PARTNERSHIPS WITH COMMUNITY PARTNERS, SUCH AS THE

DEVELOPMENT, IMPLEMENTATION, AND EVALUATION OF:

- (I) PEER SUPPORT PROGRAMS AND SERVICES;
 - (II) PRE-CLINICAL IN-PERSON AND TELEHEALTH SERVICES;
 - (III) TRAINING PROGRAMS; AND
 - (IV) RECOVERY AND RESILIENCE COACHING FOR STAFF AND LEADERSHIP;
- (c) PLANNING, RESEARCH, AND EVALUATION THAT SUPPORTS THE RESILIENCE, WELL-BEING, AND RETENTION OF HEALTH-CARE WORKERS.
- (3) THE DEPARTMENT MAY USE GIFTS, GRANTS, OR DONATIONS TO SUPPORT THE PROGRAM OR MATCHING FUNDS FROM HEALTH-CARE EMPLOYERS.

25-20.5-1403. Health-care workforce resilience and retention cash fund.

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

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

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

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

25-20.5-1404. Exemption from the procurement code. NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, THE PROGRAM AND THE EXPENDITURE OF MONEY FROM THE FUND ARE NOT SUBJECT TO THE PROVISIONS OF THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24.

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

25-1.5-404. Primary care office - powers and duties - rules. (1) The primary care office has, at a minimum, the following powers and duties:

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

(h) TO DEVELOP AND ADMINISTER THE PRACTICE-BASED HEALTH EDUCATION

GRANT PROGRAM AS DESCRIBED IN SECTION 25-1.5-407; AND

(i) WITH THE GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY, TO WORK THROUGH THE GOVERNMENT DATA ADVISORY BOARD, CREATED IN SECTION 24-37.5-702, 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.

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

25-1.5-407. Practice-based health education grant program - creation - powers and duties. (1) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL IMPLEMENT THE PRACTICE-BASED HEALTH EDUCATION GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "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, OR PROGRAM PARTICIPANTS ENROLLED IN OTHER TRAINING OR RESIDENCY PROGRAMS OFFERED BY A PUBLIC OR NONPROFIT COLORADO MEDICAL SCHOOL OR RESIDENCY PROGRAM ACCREDITED BY THE ACCREDITATION COUNCIL FOR GRADUATE MEDICAL EDUCATION (ACGME) TO GAIN HANDS-ON EXPERIENCE IN PURSUIT OF A LICENSE IN THE HEALTH-CARE FIELD.

(2)(a) THE GRANT PROGRAM SHALL SUPPORT THE EXPANSION OF PRACTICE-BASED TRAINING BY PROVIDING GRANTS TO ORGANIZATIONS, PUBLIC OR NONPROFIT COLORADO MEDICAL SCHOOLS, OR ACGME-ACCREDITED RESIDENCY PROGRAMS THAT INCREASE CLINICAL PRACTICE-BASED TRAINING CAPACITY FOR HEALTH PROFESSION STUDENTS AND PROGRAM PARTICIPANTS. THE GRANT PROGRAM SHALL GIVE PRIORITY TO STUDENTS FROM THE COLORADO PUBLIC INSTITUTIONS OF HIGHER EDUCATION THAT OFFER CLINICAL-BASED TRAINING TO STUDENTS. ORGANIZATIONS, MEDICAL SCHOOLS, AND RESIDENCY PROGRAMS THAT RECEIVE GRANTS MAY APPLY GRANT FUNDING TO COSTS ASSOCIATED WITH STUDENT AND PROGRAM PARTICIPANT EXPERIENCE COORDINATION, CLINICAL INSTRUCTORS OR PRECEPTORS, OR ANY OTHER REASONABLE COSTS DIRECTLY ASSOCIATED WITH THE EXPANSION OF PRACTICE-BASED TRAINING FOR HEALTH PROFESSION STUDENTS OR PARTICIPANTS IN THE ORGANIZATION, MEDICAL SCHOOL, OR RESIDENCY PROGRAM.

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

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

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

- (a) GRANT PROGRAM ELIGIBILITY CRITERIA;
 - (b) STANDARDS TO MEASURE APPLICANT CAPACITY TO EXPAND PRACTICE-BASED TRAINING BASED UPON PREVIOUS YEARS;
 - (c) A MEANS TO EVALUATE APPLICANT STRATEGIES FOR REACHING EXPECTED TARGET PRACTICE-BASED TRAINING EXPANSION GOALS;
 - (d) WAYS TO PROMOTE EVIDENCE-BASED TECHNOLOGY-ENHANCED CLINICAL LEARNING OPPORTUNITIES IN ORGANIZATIONS, MEDICAL SCHOOLS, OR RESIDENCY PROGRAMS AWARDED A GRANT. THESE OPPORTUNITIES MUST INCLUDE CLINICAL SIMULATION LAB INVESTMENTS IN AT LEAST ONE GRANT AWARD.
 - (e) WAYS TO EVALUATE APPLICANT PRINCIPLES THAT ARE ALIGNED WITH IMPLEMENTING LASTING ORGANIZATIONAL CULTURE CHANGE AND INTERNAL PLANS THAT SUPPORT STAFF WELLNESS, RETENTION, AND TRAINING, SUCH AS:
 - (I) EXPANDED EMPLOYEE ASSISTANCE OR WELLNESS PROGRAMS;
 - (II) COMMITMENT TO ESTABLISHING AND MAINTAINING STAFFING COMMITTEES TASKED WITH OPERATIONAL INPUT AND REVIEW OF WORKPLACE PRACTICES; AND
 - (III) STRATEGIES FOR SUSTAINING INCREASED PRECEPTOR AND PRACTICE-BASED TRAINING CAPACITY;
 - (f) A STATEMENT OF PRINCIPLES ALIGNED WITH EQUITY, INCLUSION, AND DIVERSITY GOALS, ESPECIALLY AS THEY RELATE TO HEALTH PROFESSIONAL WORKFORCE TRAINING AND DEVELOPMENT; AND
 - (g) METRICS AND REPORTING RESPONSIBILITIES FOR GRANTEEES.
- (5) THE GENERAL ASSEMBLY SHALL APPROPRIATE TWENTY MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228 TO THE DEPARTMENT TO IMPLEMENT THE GRANT PROGRAM. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE 2022-23 STATE FISCAL YEAR FROM THIS APPROPRIATION:
- (a) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;
 - (b) MAY BE USED BY THE DEPARTMENT IN THE 2023-24 OR 2024-25 STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION; AND
 - (c) MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE PURPOSES SET FORTH IN THIS SECTION.
- (6) AS USED IN THIS SECTION, "PRECEPTOR" MEANS A HEALTH-CARE PROFESSIONAL WHO IS REGISTERED, CERTIFIED, OR LICENSED, AS APPROPRIATE, PURSUANT TO TITLE 12 AND WHO ASSUMES THE RESPONSIBILITY OF TEACHING, SUPERVISING, AND EVALUATING A STUDENT SEEKING A CREDENTIAL IN A HEALTH-CARE PROFESSION DISCIPLINE AS PART OF THE STUDENT'S CLINICAL TRAINING AND EDUCATION.

SECTION 5. In Colorado Revised Statutes, **add** 23-3.3-1009 as follows:

23-3.3-1009. Support for in-demand short-term health-care credentials - report - definitions - repeal. (1) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, IN COORDINATION WITH ITS CAREER AND TECHNICAL EDUCATION ROLE AND MISSION AS COLORADO'S STATE ADMINISTRATOR OF THE FEDERAL "CARL D. PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 1998", 20 U.S.C. SEC. 2301 ET SEQ., AS AMENDED, SHALL ADMINISTER THE IN-DEMAND SHORT-TERM HEALTH-CARE CREDENTIALS PROGRAM OR CARE FORWARD COLORADO, REFERRED TO IN THIS SECTION AS THE "PROGRAM", IN ORDER TO SUPPORT THE EXPANSION OF AVAILABLE HEALTH-CARE PROFESSIONALS.

(2) THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION SHALL ALLOCATE MONEY 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 LOCAL DISTRICT COLLEGES, COMMUNITY COLLEGES, AND AREA TECHNICAL COLLEGES THROUGH REIMBURSEMENT BASED ON STUDENTS ENROLLED IN ELIGIBLE PROGRAMS FOR FISCAL YEARS 2022-23 TO 2025-26 TO:

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

(b) 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

(c) 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.

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

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

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

(6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES,

"ELIGIBLE PROGRAMS" MEANS IN-DEMAND CREDENTIALS IN ALLIED HEALTH CARE LESS THAN ONE YEAR IN DURATION THROUGH CAREER AND TECHNICAL EDUCATION PROGRAMS, INCLUDING CERTIFIED NURSING ASSISTANT, EMERGENCY MEDICAL TECHNICIAN, PHLEBOTOMY TECHNICIAN, PHARMACY TECHNICIAN, MEDICAL ASSISTANT, AND DENTAL ASSISTANT.

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

(I) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;

(II) MAY BE USED BY THE BOARD IN THE 2023-24 OR 2024-25 STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION; AND

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

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

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

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

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

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

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

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

(i) Physician standards, process, and metrics to ensure appropriate consultation, collaboration, and referral regarding advanced practice registered nurse prescriptive

authority; ~~and~~

(k) ALIGNMENT OF HEALTH-CARE LICENSING WITH FEDERAL STATUTORY MINIMUMS;

(l) IDENTIFICATION OF UNNECESSARY REGULATORY BURDENS OR BARRIERS;

(m) REGULATORY REFORMS THAT SUPPORT HEALTH-CARE LICENSEES TO WORK AT THEIR FULL SCOPE OF PRACTICE; AND

(n) FEASIBILITY OF TEMPORARY CANDIDATE LICENSES FOR STUDENTS NEARING THE COMPLETION OF AN ACCREDITED HEALTH-CARE PROGRAM. AT A MINIMUM, THEY MUST CONSIDER REIMBURSEMENT, LIABILITY, AND HEALTH AND SAFETY ISSUES IN THEIR ANALYSIS.

SECTION 8. In Colorado Revised Statutes, 24-75-112, **amend** (1)(d)(V) as follows:

24-75-112. Annual general appropriation act - headnote definitions - general provisions - footnotes. (1) As used in the annual general appropriation act, the following definitions and general provisions shall apply for the headnote terms preceding and specifying the purpose of certain line items of appropriation:

(d) (V) The number of FTE specified in a particular item of appropriation is the number utilized to calculate the amount appropriated and necessary to fund any combination of part-time positions or full-time positions equal to such number for the fiscal year to which the annual general appropriation act pertains in accordance with the definition contained in ~~subparagraphs (I) and (II) of this paragraph (d)~~ SUBSECTIONS (1)(d)(II) AND (1)(d)(III) OF THIS SECTION and is not a limitation on the number of FTE that may be employed. No department shall make a material change in the number of FTE specified in a particular item of appropriation prior to notifying the joint budget committee in writing of such change. THIS SUBSECTION (1)(d)(IV) DOES NOT APPLY TO DEPARTMENT OF PERSONNEL AND ADMINISTRATION STATE TRAINEE POSITIONS.

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

25-1.5-406. School nurse grant program - creation - eligibility - award of grants - rules - report - legislative declaration - definitions. (3) There is created in the department the school nurse grant program to award grants ~~on a five-year grant cycle~~ to local education providers to increase the number of school nurses in Colorado public schools. The grant program ~~shall be~~ is administered by the primary care office in the department. The state board may promulgate rules, as necessary, to implement the grant program.

(4) (a) Except as provided in subsection (4)(b) of this section, a local education provider awarded a grant pursuant to this section shall use the grant money to hire a school nurse or nurses in the selected school or schools. The grant shall supplement, not supplant, a local education provider's funding for school nurse positions and student health-care services ~~existing prior to May 29, 2019~~, EXISTING

IN THE LOCAL EDUCATION PROVIDER'S MOST RECENT FISCAL YEAR PRIOR TO THE YEAR OF THE APPLICATION TO THE GRANT PROGRAM.

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

(e) The amount of money necessary to attract and retain a school nurse in the school or schools of the local education provider for the ~~five-year~~ grant cycle and whether the local education provider intends to supplement a grant with any additional money to hire the school nurse position or positions; and

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

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

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

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

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

(9) THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228 TO THE DEPARTMENT FOR THE PROGRAM.

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

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

25-1.5-102. Epidemic and communicable diseases - powers and duties of department - rules - definitions. (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:

(e) FOR FISCAL YEAR 2022-23, THE GENERAL ASSEMBLY SHALL APPROPRIATE TEN MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228 TO THE DEPARTMENT. 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.

SECTION 11. In Colorado Revised Statutes, **repeal** 25-1-108.7.

SECTION 12. Appropriation. (1) For the 2022-23 state fiscal year, \$35,000,000 is appropriated to the department of public health and environment. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S., and is of money the state received from the coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation as follows:

(a) \$2,000,000 for use by the office of emergency preparedness and response for the appropriation to the health care workforce and resilience and retention cash fund;

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

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

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

SECTION 13. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: May 18, 2022