

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0476.01 Kristen Forrestal x4217

SENATE BILL 17-056

SENATE SPONSORSHIP

Kerr, Tate, Moreno

HOUSE SPONSORSHIP

Arndt, Thurlow

Senate Committees

Health & Human Services

House Committees

Public Health Care & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO THE**
103 **GENERAL ASSEMBLY.**

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/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Amended 2nd Reading
February 24, 2017

SENATE
3rd Reading Unamended
February 10, 2017

SENATE
Amended 2nd Reading
February 6, 2017

acting by bill, continues the requirement. The bill addresses reporting requirements of the department of public health and environment.

Sections 1, 6, 7, 8, 12, and 15 of the bill continue indefinitely the reporting requirements contained in those statutory sections.

Sections 2 to 5, 9, 10, 11, and 13 repeal reports that are or were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statute.

Section 14 adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-1.5-101, **amend**
3 (1)(w)(III)(A) as follows:

4 **25-1.5-101. Powers and duties of department - laboratory cash**
5 **fund.** (1) The department has, in addition to all other powers and duties
6 imposed upon it by law, the powers and duties provided in this section as
7 follows:

8 (w) (III) (A) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), as
9 part of its duties as coordinator for suicide prevention programs, on or
10 before each November 1, the department shall submit to the chairs of the
11 senate health and human services committee and the house of
12 representatives health, INSURANCE, and environment committee, or their
13 successor committees, and to the members of the joint budget committee,
14 a report listing all suicide prevention programs in the state and describing
15 the effectiveness of the department acting as the coordinator for suicide
16 prevention programs. For the report submitted in 2013 and each year
17 thereafter, the department shall include any findings and
18 recommendations it has to improve suicide prevention in the state.

19 
20 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-110, **amend**

1 (2) as follows:

2 **25-1.5-110. Monitor health effects of marijuana.** (2) The
3 department shall appoint a panel of health care professionals with
4 expertise in cannabinoid physiology to monitor the relevant information.
5 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the panel shall provide
6 a report by January 31, 2015, and every two years thereafter to the state
7 board of health, the department of revenue, and the general assembly. The
8 department shall make the report available on its website. The panel shall
9 establish criteria for studies to be reviewed, reviewing studies and other
10 data, and making recommendations, as appropriate, for policies intended
11 to protect consumers of marijuana or marijuana products and the general
12 public.

13

14 **SECTION 3.** In Colorado Revised Statutes, 25-3-603, **amend** (1)
15 as follows:

16 **25-3-603. Department reports.** (1) NOTWITHSTANDING SECTION
17 24-1-136 (11)(a)(I), on or before ~~January 15, 2008~~, JULY 15, 2017, and
18 each ~~January~~ JULY 15 thereafter, the department shall submit to the health
19 and human services committees of the house of representatives and of the
20 senate a report summarizing the risk-adjusted health-facility data. The
21 department shall post the report on its website.

22 **SECTION 4.** In Colorado Revised Statutes, 25-3-702, **amend**
23 (2)(b) as follows:

24 **25-3-702. Comprehensive hospital information system -**
25 **executive director - duties - definitions.** (2) In order to implement this
26 section the executive director or his or her designee shall:

27 (b) On or before May 15, 2007, submit an initial plan and an

1 annual update to the plan and a report on the status of implementation to
2 the governor ~~the president of the senate, and the speaker of the house of~~
3 ~~representatives with copies to all members of the general assembly and~~
4 ~~available~~ to the public, ~~on an internet~~ VIA A website. The plan shall
5 identify the process and time frames for implementation, barriers to
6 implementation, and recommendations of changes in the law that may be
7 enacted by the general assembly to eliminate the barriers.

8 **SECTION 5.** In Colorado Revised Statutes, 25-3.5-704, **amend**
9 (2)(h)(I) introductory portion and (2)(h)(I)(E) as follows:

10 **25-3.5-704. Statewide emergency medical and trauma care**
11 **system - development and implementation - duties of department -**
12 **rules adopted by board.** (2) The board shall adopt rules for the
13 statewide emergency medical and trauma care system, including but not
14 limited to the following:

15 (h) (I) **Continuing quality improvement system (CQI).** These
16 rules require the department to oversee a continuing quality improvement
17 system for the statewide emergency medical and trauma care system. The
18 board shall specify the methods and periods for assessing the quality of
19 regional emergency medical and trauma systems and the statewide
20 emergency medical and trauma care system. These rules **MUST include** ~~but~~
21 ~~are not limited to,~~ the following requirements:

22 (E) That the department be allowed access to prehospital, hospital,
23 and coroner records of emergency medical and trauma patients to assess
24 the continuing quality improvement system for the area and state-based
25 injury prevention and public information and education programs
26 pursuant to ~~paragraph (g) of this subsection (2)~~ SUBSECTION (2)(g) OF
27 THIS SECTION. All information provided to the department shall be

1 confidential pursuant to ~~subparagraph (H) of this paragraph (h)~~ THIS
2 SUBSECTION (2)(h). To the greatest extent possible, patient-identifying
3 information shall not be gathered. If patient-identifying information is
4 necessary, the department shall keep such information strictly
5 confidential, and such information may only be released outside of the
6 department upon written authorization of the patient. The department
7 shall prepare an annual report that includes an evaluation of the statewide
8 emergency medical and trauma services system. Such report shall be
9 distributed to all designated trauma centers, ambulance services, and
10 service agencies. ~~and to the chairpersons of the health and human services~~
11 ~~committees of the house of representatives and the senate, or any~~
12 ~~successor committees.~~

13 **SECTION 6.** In Colorado Revised Statutes, **amend** 25-8-305 as
14 follows:

15 **25-8-305. Annual report.** NOTWITHSTANDING SECTION 24-1-136
16 (11)(a)(I), on or before October 1 of each year, the division through the
17 executive director shall report to the commission on the effectiveness of
18 ~~the provisions of this article~~ and shall include in such report ~~such~~ ANY
19 recommendations ~~as~~ it may have with respect to any regulatory or
20 legislative changes that may be needed or desired. ~~Such~~ THE report shall
21 MUST include the then current information that has been obtained
22 pursuant to section 25-8-303 and information concerning the status of the
23 division's implementation of the discharge permit program established in
24 part 5 of this article. The report shall be filed with the house agriculture,
25 livestock, and natural resources committee and the senate agriculture,
26 natural resources, and energy committee, or any successor committees.

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1 **SECTION 7.** In Colorado Revised Statutes, 25-15-301.5, **amend**
2 (3) as follows:

3 **25-15-301.5. Additional powers of department - legislative**
4 **declaration - report.** (3) NOTWITHSTANDING SECTION 24-1-136
5 (11)(a)(I), the department is directed to submit a report to the general
6 assembly on or before February 1, 2002, and annually on or before each
7 February 1 thereafter that describes the status of the hazardous waste
8 control program, the department's efforts to carry out its statutory
9 responsibilities at the lowest possible cost without jeopardizing the intent
10 stated in subsection (1) of this section, and the department's
11 implementation of the authority to accept environmental covenants
12 created pursuant to section 25-15-321.

13 **SECTION 8.** In Colorado Revised Statutes, 25-16.5-105, **amend**
14 (1)(m)(I) as follows:

15 **25-16.5-105. Powers and duties of advisory board.** (1) The
16 advisory board has the following powers and duties:

17 (m) (I) In accordance with the provisions of ~~subparagraph (H) of~~
18 ~~this paragraph (m)~~, SUBSECTION (1)(m)(II) OF THIS SECTION, to submit an
19 annual report to the department of local affairs, the department, AND the
20 Colorado energy office created in section 24-38.5-101. ~~C.R.S. and the~~
21 ~~standing committee of reference in each house of the general assembly~~
22 ~~exercising jurisdiction over matters concerning public health and the~~
23 ~~environment.~~

24 **SECTION 9.** In Colorado Revised Statutes, 25-17-405, **amend**
25 (3)(b) as follows:

26 **25-17-405. Paint stewardship program requirements - annual**
27 **reports - customer information.** (3) (b) NOTWITHSTANDING SECTION

1 24-1-136 (11)(a)(I), the executive director shall annually compile the
2 results of the reports received pursuant to paragraph (a) of this subsection
3 (3) SUBSECTION (3)(a) OF THIS SECTION into a general report describing
4 the progress of the paint stewardship programs. The executive director
5 shall annually present the report to the health and human services
6 committee of the senate and the public health care and human services
7 committee of the house of representatives, or their successor committees.

8 **SECTION 10.** In Colorado Revised Statutes, 25-20.5-108,
9 **amend** (6) as follows:

10 **25-20.5-108. Prevention, intervention, and treatment program**
11 **requirements - reports - reviews - annual review summary.** (6) The
12 division shall annually prepare or oversee the preparation of an executive
13 summary of the prevention, intervention, and treatment program reviews
14 conducted during the preceding year and submit such summary to the
15 governor, ~~to the general assembly,~~ to each state department that operates
16 a prevention, intervention, and treatment program, and to each entity that
17 received state or federal funds for operation of a prevention, intervention,
18 and treatment program during the fiscal year for which the summary is
19 prepared. In addition, the division shall provide copies of the summary to
20 any person upon request.

21 **SECTION 11.** In Colorado Revised Statutes, 25-20.5-407,
22 **amend** (1)(g) as follows:

23 **25-20.5-407. State review team - duties - definitions.** (1) The
24 state review team shall:

25 (g) Report to the governor and to the public health care and
26 human services committee and the judiciary committee of the house of
27 representatives and the health and human services committee and the

1 judiciary committee of the senate of the Colorado general assembly, or
2 any successor committees, concerning any recommendations for changes
3 to any law, rule, or policy that the state review team has determined will
4 promote the safety and well-being of children. NOTWITHSTANDING
5 SECTION 24-1-136 (11)(a)(I), the state review team shall report annually
6 on or before July 1, 2014, and on or before July 1 each year thereafter. In
7 its report, the state review team shall provide a list of system strengths
8 and weaknesses identified through the review process and
9 recommendations for preventive actions to promote the safety and
10 well-being of children. The annual report must include an analysis of the
11 state review team's recommendations from the previous year and state
12 what policy changes, if any, were made to improve child safety and
13 well-being. The state review team shall make the annual report publicly
14 available and will conduct outreach efforts to educate members of the
15 child protection community on report findings.

16 **SECTION 12.** In Colorado Revised Statutes, **amend** 25-25-131
17 as follows:

18 **25-25-131. Annual report.** The authority shall submit to the
19 governor ~~and the general assembly~~ within six months after the end of the
20 fiscal year a report which shall set forth a complete and detailed operating
21 and financial statement of the authority during such year. Also included
22 in the report shall be any recommendations with reference to additional
23 legislation or other action that may be necessary to carry out the purposes
24 of the authority.

25 **SECTION 13.** In Colorado Revised Statutes, 25-44-102, **amend**
26 (6) as follows:

27 **25-44-102. Comprehensive human sexuality education grant**

1 **program - creation - application for federal money - notification to**
2 **schools - rules - repeal.** (6) (a) On or before January 30, 2017, and every
3 year thereafter in which grants have been awarded pursuant to this article,
4 the department shall submit a report concerning the outcomes of the
5 program to the state board of education, the department of education, and
6 the education committees of the senate and house of representatives, the
7 health and human services committee of the senate, and the public health
8 care and human services committee of the house of representatives, or
9 any successor committees. The report must include, at a minimum:

10 ~~(a)~~ (I) The number of public schools and school districts that
11 received a grant under the program;

12 ~~(b)~~ (II) The number of students reached and the curriculum
13 utilized;

14 ~~(c)~~ (III) The amount of each grant awarded;

15 ~~(d)~~ (IV) The average amount of all grants awarded; and

16 ~~(e)~~ (V) The source and amount of each gift, grant, or donation
17 received by the department for the implementation of this article.

18 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
19 (6) IS REPEALED, EFFECTIVE JULY 2, 2020.

20 **SECTION 14.** In Colorado Revised Statutes, 30-20-101.5,
21 **amend** (3) as follows:

22 **30-20-101.5. Additional powers of the department - legislative**
23 **declaration.** (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or
24 before February 1, 2008, and not later than February 1 of each year
25 thereafter, the department shall submit a report to the standing committee
26 of reference in each house of the general assembly exercising jurisdiction
27 over matters concerning public health and the environment that describes

1 the status of the solid waste management program, the department's
2 efforts to satisfy its statutory responsibilities at the lowest possible cost
3 while meeting the legislative intent specified in subsection (1) of this
4 section, and the department's implementation of the authority to accept
5 environmental covenants created pursuant to section 25-15-321. ~~C.R.S.~~

6 **SECTION 15. Effective date.** (1) Except as otherwise provided
7 in this section, this act takes effect upon passage.

8 (2) Section 2 of this act takes effect February 1, 2018.

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