A BILL FOR AN ACT

CONCERNING PROVIDING FUNDING TO LOCAL EDUCATION PROVIDERS TO CONTRACT FOR THE SERVICES OF A PHYSICIAN DURING THE PENDENCY OF THE COVID-19 PANDEMIC IN THE STATE.

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 provides noncompetitive grants to school districts and boards of cooperative services that include rural school districts (local education providers) to retain a licensed physician to provide medical assessments and advice and to act as a liaison between the local education provider and state and local public health agencies with regard to
implementing health protocols and requirements pertaining to COVID-19, with the goal of stabilizing the learning environment and advocating for the interests of the local education provider and its students and their families.

The department of education (department) shall allocate grants in the order requests are received, so long as there are available appropriations; except that the department may prioritize the award of grants to local education providers located in counties that are experiencing high or rising levels of COVID-19 or that are managing significant or complex exposure and quarantine protocols for students or staff. The term of the physician contracts must not exceed 30 days following the expiration of the governor's executive orders and any school-related public health agency order or protocols related to the COVID-19 pandemic.

The department may award grants of up to $50,000 per local education provider or group of providers, up to a cap of one million dollars. The bill gives the commissioner of education discretion, as specified in the bill, relating to the award of grants.

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

SECTION 1. In Colorado Revised Statutes, add 22-1-131 as follows:

22-1-131. Contracts for physician services for school districts and boards of cooperative services during the COVID-19 pandemic - noncompetitive grants - rules - legislative declaration - definitions - repeal. (1) (a) The general assembly finds and declares that:

(I) On March 11, 2020, the governor issued executive order D 2020-003 declaring a disaster emergency due to the presence of COVID-19 in the state. The disaster emergency has been regularly extended since that date.

(II) Since the order declaring a public health disaster emergency, local education providers in the state have been subject to numerous executive orders, including the governor’s school closure order, and many state and local public health
AGENCY ORDERS THAT IMPACT THE HEALTH AND SAFETY OF LOCAL
EDUCATION PROVIDERS' STAFF AND STUDENTS AND THE METHOD OF
LEARNING IN PUBLIC SCHOOLS, INCLUDING IN-PERSON AND REMOTE
LEARNING;

(III) LOCAL EDUCATION PROVIDERS HAVE BEEN HAMPERED DUE TO
A LACK OF RESOURCES AND NECESSARY MEDICAL EXPERTISE IN THEIR
ABILITY TO MAKE HEALTH ASSESSMENTS FOR THEIR SCHOOL
COMMUNITIES, COMPLY WITH VARIOUS HEALTH ORDERS AND PROTOCOLS
FOR MITIGATING VIRUS TRANSMISSION, AND COMMUNICATE WITH STATE
AND LOCAL PUBLIC HEALTH AGENCIES THAT MANDATE AND ENFORCE
PUBLIC HEALTH ORDERS AND PROTOCOLS; AND

(IV) THE INABILITY OF A LOCAL EDUCATION PROVIDER TO
EFFECTIVELY ASSESS THE HEALTH OF ITS STUDENTS AND STAFF, COMPLY
WITH HEALTH ORDERS AND PROTOCOLS FOR MITIGATING VIRUS
TRANSMISSION, AND COMMUNICATE WITH AND ADVOCATE FOR ITS
INTERESTS WITH STATE AND LOCAL PUBLIC HEALTH AGENCIES HAS
IMPACTED THE STABILITY OF THE LEARNING ENVIRONMENT OF THE LOCAL
EDUCATION PROVIDER AND THE BEST INTERESTS OF ITS STUDENTS AND
FAMILIES.

(b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS
APPROPRIATE TO PROVIDE FUNDING TO LOCAL EDUCATION PROVIDERS TO
CONTRACT WITH A COLORADO LICENSED PHYSICIAN TO PROVIDE MEDICAL
ADVICE AND ASSESSMENTS FOR THE LOCAL EDUCATION PROVIDER AND TO
ACT AS A LIAISON BETWEEN THE LOCAL EDUCATION PROVIDER AND THE
STATE AND LOCAL PUBLIC HEALTH AGENCIES DURING THE PENDENCY OF
THE COVID-19 PANDEMIC.

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

(a) "BOARD OF COOPERATIVE SERVICES" HAS THE SAME MEANING AS SET FORTH IN SECTION 22-5-103 (2).

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION, CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

(c) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT OR A BOARD OF COOPERATIVE SERVICES THAT INCLUDES A RURAL SCHOOL DISTRICT AS A MEMBER.

(d) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

(e) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT CREATED PURSUANT TO ARTICLE 30 OF THIS TITLE 22.

(3) FOR THE 2020-21 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT FOR NONCOMPETITIVE GRANTS TO A LOCAL EDUCATION PROVIDER OR GROUP OF PROVIDERS TO CONTRACT WITH A COLORADO LICENSED PHYSICIAN TO:

(a) ADVISE THE LOCAL EDUCATION PROVIDER REGARDING THE GOVERNOR’S EXECUTIVE ORDERS AND PUBLIC HEALTH ORDERS AND PROTOCOLS OF STATE AND LOCAL PUBLIC HEALTH AGENCIES PERTAINING TO COVID-19;

(b) PROVIDE MEDICAL ASSESSMENTS OF STUDENTS AND STAFF IN SCHOOLS;

(c) ADVISE THE LOCAL EDUCATION PROVIDER CONCERNING
COVID-19 EXPOSURE AND APPROPRIATE QUARANTINE PROTOCOLS FOR
STUDENTS AND STAFF;

(d) SUPPORT SCHOOL NURSES AND SCHOOL ADMINISTRATORS IN
IMPLEMENTING TRANSMISSION MITIGATION STRATEGIES AND RESPONDING
TO QUARANTINE PROTOCOL GUIDELINES;

(e) SUPPORT THE DEVELOPMENT AND DISSEMINATION OF
INFORMATION BY THE LOCAL EDUCATION PROVIDER TO STUDENTS,
PARENTS, AND THE COMMUNITY CONCERNING COVID-19 AND THE LOCAL
EDUCATION PROVIDER'S RESPONSE TO THE COVID-19 PANDEMIC;

(f) ACT AS A LIAISON BETWEEN THE LOCAL EDUCATION PROVIDER
AND THE STATE AND LOCAL PUBLIC HEALTH AGENCIES; AND

(g) PROVIDE OTHER SERVICES, ADVICE, OR COORDINATION
ACTIVITIES AS DETERMINED BY THE LOCAL EDUCATION PROVIDER RELATED
TO THE OPERATION OF THE LOCAL EDUCATION PROVIDER DURING THE
COVID-19 PANDEMIC.

(4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT
SHALL AWARD NONCOMPETITIVE GRANTS TO A LOCAL EDUCATION
PROVIDER OR GROUP OF PROVIDERS IN THE ORDER THAT THE DEPARTMENT
RECEIVES THE GRANT REQUESTS AS DESCRIBED IN THIS SUBSECTION (4);
EXCEPT THAT THE DEPARTMENT MAY PRIORITIZE REQUESTS FROM LOCAL
EDUCATION PROVIDERS THAT ARE IN A COUNTY EXPERIENCING A HIGH OR
RISING NUMBER OF COVID-19 INFECTIONS OR THAT ARE MANAGING
SIGNIFICANT OR COMPLEX EXPOSURE AND QUARANTINE PROTOCOLS FOR
STUDENTS AND STAFF. A LOCAL EDUCATION PROVIDER OR GROUP OF
PROVIDERS MAY REQUEST A GRANT FROM THE DEPARTMENT OF UP TO
FIFTY THOUSAND DOLLARS TO CONTRACT WITH A COLORADO LICENSED
PHYSICIAN FOR THE PURPOSES SET FORTH IN SUBSECTION (3) OF THIS
SECTION AND SHALL PROVIDE INFORMATION CONCERNING THE TERMS OF
THE CONTRACT, INCLUDING THE COMPENSATION AND SERVICES PROVIDED
PURSUANT TO THE CONTRACT. THE CONTRACT MUST EXPIRE NOT MORE
THAN THIRTY DAYS AFTER THE EXPIRATION OF THE GOVERNOR'S
EXECUTIVE ORDER AND EXTENSIONS OF THE ORDER DECLARING A STATE
PUBLIC HEALTH EMERGENCY AND ANY SCHOOL-RELATED STATE AND
LOCAL PUBLIC HEALTH AGENCY ORDERS OR PROTOCOLS RELATING TO THE
COVID-19 PANDEMIC, AND MUST ALLOW FOR PRORATION OF THE
CONTRACT AMOUNT IF THE CONTRACT TERMINATES EARLY BASED ON THE
PROVISIONS OF THIS SECTION. THE COMMISSIONER OF EDUCATION MAY
DECLINE TO AWARD A GRANT IF THE TERMS OF THE PROPOSED CONTRACT
FALL SUBSTANTIALLY OUTSIDE OF THE TERMS OF CONTRACTS NEGOTIATED
BY OTHER SIMILAR LOCAL EDUCATION PROVIDERS WITH RESPECT TO THE
SERVICES AND COMPENSATION PROVIDED PURSUANT TO THE TERMS OF THE
CONTRACT.

(5) THE STATE BOARD OF EDUCATION IS AUTHORIZED TO
PROMULGATE RULES, AS NEEDED, TO IMPLEMENT THIS SECTION.

(6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

SECTION 2. 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.