

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

REREVISED

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

LLS NO. 21-0737.01 Sarah Lozano x3858

HOUSE BILL 21-1171

HOUSE SPONSORSHIP

Bradfield and Titone, Bacon, Bennett, Bird, Boesenecker, Duran, Exum, Herod, Hooton, Jackson, Jodeh, Kipp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Mullica, Ortiz, Snyder, Valdez A., Young

SENATE SPONSORSHIP

Buckner and Hisey, Bridges, Danielson, Ginal, Pettersen, Story, Zenzinger

House Committees

Health & Insurance
Legislative Council
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE KIDNEY DISEASE PREVENTION**
102 **AND EDUCATION TASK FORCE, AND, IN CONNECTION THEREWITH,**
103 **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 kidney disease prevention and education task force (task force) in the department of public health and environment (department). The task force consists of members that are part of the general assembly and members that are not part of the general assembly. The task force's purpose is to evaluate and make recommendations to the

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
June 4, 2021

SENATE
Amended 2nd Reading
June 3, 2021

HOUSE
3rd Reading Unamended
May 18, 2021

HOUSE
Amended 2nd Reading
May 17, 2021

general assembly about the detection, treatment, education, and awareness of kidney disease in Colorado.

The task force has the following duties:

- To work with various entities to create kidney disease educational programs and increase overall awareness of kidney disease in Colorado;
- To examine chronic kidney disease, transplantation, donation, and the higher rates of affliction in minority populations; and
- To develop a plan to raise awareness about kidney disease in Colorado, which shall include an ongoing campaign that incorporates health workshops, preventative screenings, social media campaigns, and television and radio commercials.

The task force is required to submit an initial report with its findings and recommendations to the general assembly by December 1, 2023. The task force is required to convene by November 1, 2021, and is required to meet at least 4 times every year. Following the task force's submittal of the initial report, the task force shall elect a chair and vice-chair from the members who are not part of the general assembly, and the members who are part of the general assembly shall transition to an advisory role. The task force is required to submit follow-up reports each year.

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

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

4 (a) The kidneys are vital organs that clean the blood, help control
5 blood pressure, make red blood cells, and keep bones healthy;

6 (b) Approximately 37 million Americans currently suffer from
7 kidney disease and millions more are at risk for developing kidney
8 disease in the future;

9 (c) Black Americans are about 4 times more likely and Hispanic
10 Americans are about 1.6 times more likely than white Americans to suffer
11 from kidney failure;

12 (d) In 2017, there were 1,138 new cases of kidney failure

1 diagnosed in Colorado, and of those new cases, only 68 were able to
2 receive a transplant;

3 (e) In 2019, only an estimated 1 in 4 Coloradans on the waiting
4 list for a kidney transplant were able to receive a transplant;

5 (f) The main causes of chronic kidney disease are diabetes and
6 high blood pressure, and an estimated 7% of Coloradans suffer from
7 diabetes and an estimated 25.9% of Coloradans have high blood pressure;

8 (g) According to the Centers for Disease Control, 96% of people
9 with early kidney disease are unaware that they are afflicted because there
10 are typically no symptoms until the later stages of the disease; and

11 (h) If kidney disease is detected early through blood and urine
12 tests, it is often possible to slow or stop its progress through treatment.

13 (2) The general assembly further finds and declares that, in light
14 of the detrimental effects of kidney disease on the population of Colorado
15 and the United States, it is in the interest of the state and of local
16 communities to convene a task force to study and make recommendations
17 on the prevention, treatment, disparity of impact, and overall awareness
18 of kidney disease in Colorado.

19 [REDACTED]

20 **SECTION 2.** In Colorado Revised Statutes, **add 25-1-131** as
21 follows:

22 **25-1-131. Kidney disease prevention and education task force**
23 **- created - powers and duties - report - selection of chair and**
24 **vice-chair - sunset review - repeal. (1) THE KIDNEY DISEASE**
25 **PREVENTION AND EDUCATION TASK FORCE, REFERRED TO IN THIS SECTION**
26 **AS THE "TASK FORCE", IS HEREBY CREATED.**

27 (2) THE TASK FORCE CONSISTS OF THE FOLLOWING NINE VOTING

1 MEMBERS:

2 (a) TWO MEMBERS FROM THE GENERAL ASSEMBLY, COLLECTIVELY

3 REFERRED TO IN THIS SECTION AS THE "ELECTED MEMBERS", AS FOLLOWS:

4 (I) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF

5 THE SENATE; AND

6 (II) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES, APPOINTED

7 BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

8 (b) THE TASK FORCE CONSISTS OF THE FOLLOWING OTHER VOTING

9 MEMBERS, COLLECTIVELY REFERRED TO IN THIS SECTION AS THE

10 "NONELECTED MEMBERS", WITH FOUR MEMBERS BEING APPOINTED BY THE

11 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF

12 REPRESENTATIVES AND THREE MEMBERS BEING APPOINTED BY THE

13 MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE

14 HOUSE OF REPRESENTATIVES:

15 (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE

16 EXECUTIVE DIRECTOR'S DESIGNEE;

17 (II) ONE MEMBER REPRESENTING THE RENAL PROVIDER

18 COMMUNITY;

19 (III) ONE MEMBER REPRESENTING A COLORADO MEDICAL CENTER

20 WITH A PROGRAM DEDICATED TO TREATING KIDNEY DISEASE;

21 (IV) ONE MEMBER REPRESENTING THE NEPHROLOGIST

22 COMMUNITY;

23 (V) ONE MEMBER FROM A NONPROFIT ORGANIZATION FOCUSING

24 ON KIDNEY DISEASE;

25 (VI) ONE MEMBER REPRESENTING THE KIDNEY PATIENT

26 COMMUNITY; AND

27 (VII) ONE MEMBER FROM AN ORGANIZATION REPRESENTING THE

1 HEALTH INTERESTS OF MINORITY POPULATIONS.

2 (3) (a) ALL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE NO
3 LATER THAN OCTOBER 1, 2021. THE ELECTED MEMBERS APPOINTED TO
4 SERVE ON THE TASK FORCE SHALL BE OF DIFFERENT PARTY AFFILIATIONS.
5 THE TERMS OF THE ELECTED MEMBERS TERMINATE ON THE CONVENING
6 DATE OF THE FIRST REGULAR SESSION OF THE SEVENTY-FOURTH GENERAL
7 ASSEMBLY. AS SOON AS PRACTICABLE AFTER SUCH CONVENING DATE, BUT
8 NO LATER THAN THE END OF THE LEGISLATIVE SESSION, THE SPEAKER OF
9 THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE
10 SHALL EACH APPOINT OR REAPPOINT THE ELECTED MEMBERS.
11 THEREAFTER, THE TERMS OF THE ELECTED MEMBERS EXPIRE ON THE
12 CONVENING DATE OF THE FIRST REGULAR SESSION OF EACH GENERAL
13 ASSEMBLY, AND ALL SUBSEQUENT APPOINTMENTS AND REAPPOINTMENTS
14 OF THE ELECTED MEMBERS MUST BE MADE AS SOON AS PRACTICABLE
15 AFTER THE CONVENING DATE, BUT NO LATER THAN THE END OF THE
16 LEGISLATIVE SESSION.

17 (b) THE TERMS OF THE NONELECTED MEMBERS ARE FOR THE
18 DURATION OF THE TASK FORCE. THE PERSON MAKING THE ORIGINAL
19 APPOINTMENT OR REAPPOINTMENT TO THE TASK FORCE SHALL FILL ANY
20 VACANCY BY APPOINTMENT FOR THE REMAINDER OF AN UNEXPIRED TERM.
21 MEMBERS APPOINTED OR REAPPOINTED SERVE AT THE PLEASURE OF THE
22 APPOINTING AUTHORITY AND CONTINUE TO SERVE UNTIL THE MEMBER'S
23 SUCCESSOR IS APPOINTED.

24 (4) (a) THE ELECTED MEMBERS SHALL CONVENE THE FIRST
25 MEETING OF THE TASK FORCE NO LATER THAN NOVEMBER 1, 2021. AT THE
26 FIRST MEETING, THE MEMBERS SHALL SELECT A CHAIR AND A VICE-CHAIR
27 FROM AMONG THE ELECTED MEMBERS. THE ELECTED MEMBERS SHALL

1 ALTERNATE AS CHAIR AND VICE-CHAIR EVERY YEAR THEREAFTER FOR THE
2 DURATION OF THE TASK FORCE.

3 (b) THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES EACH
4 YEAR AND AT SUCH OTHER TIMES AS IT DEEMS NECESSARY. THE CHAIR
5 AND VICE-CHAIR MAY ESTABLISH SUCH ORGANIZATIONAL AND
6 PROCEDURAL RULES AS ARE NECESSARY FOR THE OPERATION OF THE TASK
7 FORCE.

8 (5) THE PURPOSES OF THE TASK FORCE ARE:

9 (a) TO WORK DIRECTLY WITH POLICYMAKERS, PUBLIC HEALTH
10 ENTITIES, NONPROFIT ORGANIZATIONS THAT WORK WITH PEOPLE WITH
11 DISABILITIES, AND EDUCATIONAL INSTITUTIONS TO CREATE HEALTH
12 EDUCATIONAL PROGRAMS CONCERNING KIDNEY DISEASE AND TO INCREASE
13 AWARENESS OF KIDNEY DISEASE THROUGHOUT THE STATE OF COLORADO;

14 (b) TO EXAMINE CHRONIC KIDNEY DISEASE, TRANSPLANTATION,
15 LIVING AND DECEASED KIDNEY DONATION, KIDNEY DISEASE IN CHILDREN
16 AND PEOPLE WITH DISABILITIES, AND THE HIGHER RATES OF AFFLICTION IN
17 MINORITY POPULATIONS; AND

18 (c) TO DEVELOP A SUSTAINABLE PLAN TO RAISE AWARENESS
19 ABOUT EARLY DETECTION OF KIDNEY DISEASE AND TO PROMOTE HEALTH
20 EQUITY, TRANSPLANTATION, AND TO REDUCE THE BURDEN OF KIDNEY
21 DISEASE THROUGHOUT THE STATE OF COLORADO, WHICH SHALL INCLUDE
22 AN ONGOING CAMPAIGN THAT INCORPORATES:

23 (I) HEALTH EDUCATION WORKSHOPS AND SEMINARS;

24 (II) PREVENTATIVE SCREENINGS;

25 (III) SOCIAL MEDIA CAMPAIGNS; AND

26 (IV) TELEVISION AND RADIO COMMERCIALS.

27 (6) THE DEPARTMENT SHALL SELECT A COLORADO MEDICAL

1 CENTER OWNED OR OPERATED BY A HOSPITAL AUTHORITY CREATED IN
2 STATE LAW WITH A PROGRAM DEDICATED TO TREATING KIDNEY DISEASE
3 TO ADMINISTER THE TASK FORCE. THE DEPARTMENT SHALL AWARD
4 GRANTS TO THE MEDICAL CENTER TO PROVIDE FOR THE REASONABLE
5 COSTS OF ADMINISTERING THE TASK FORCE. THE DEPARTMENT MAY SEEK,
6 ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR
7 PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

8 (7) (a) ON OR BEFORE DECEMBER 1, 2023, THE TASK FORCE SHALL
9 SUBMIT ITS INITIAL REPORT, INCLUDING ITS FINDINGS AND
10 RECOMMENDATIONS ON THE ISSUES IDENTIFIED IN SUBSECTION (5) OF THIS
11 SECTION, TO THE DEPARTMENT.

12 (b) ON OR BEFORE AUGUST 31, 2026, THE TASK FORCE SHALL
13 SUBMIT ITS FINAL REPORT, INCLUDING ITS FINDINGS AND
14 RECOMMENDATIONS ON THE ISSUES IDENTIFIED IN SUBSECTION (5) OF THIS
15 SECTION, TO THE DEPARTMENT.

16 (c) NOTWITHSTANDING SECTION 24-1-136(11), AFTER DECEMBER
17 1, 2023, THE DEPARTMENT SHALL INCLUDE THE INITIAL REPORT OR FINAL
18 REPORT SUBMITTED TO THE DEPARTMENT, AS APPLICABLE, AS PART OF THE
19 DEPARTMENT'S PRESENTATION TO ITS JOINT COMMITTEES OF REFERENCE
20 AT A HEARING HELD PURSUANT SECTION 2-7-203 (2)(a) OF THE "STATE
21 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
22 (SMART) GOVERNMENT ACT".

23 (8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2026.
24 BEFORE THE REPEAL, THE TASK FORCE IS SCHEDULED FOR REVIEW IN
25 ACCORDANCE WITH SECTION 2-3-1203.

26 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, add
27 (17)(a)(IV) as follows:

1 **2-3-1203. Sunset review of advisory committees - legislative**
2 **declaration - definition - repeal.** (17) (a) The following statutory
3 authorizations for the designated advisory committees will repeal on
4 September 1, 2026:

5 (IV) THE KIDNEY DISEASE PREVENTION AND EDUCATION TASK
6 FORCE CREATED IN SECTION 25-1-131.

7 **SECTION 4. Appropriation.** (1) For the 2021-22 state fiscal
8 year, \$89,775 is appropriated to the department of public health and
9 environment for use by the prevention services division. This
10 appropriation is from the general fund and is based on an assumption that
11 the division will require an additional 0.5 FTE. To implement this act, the
12 division may use this appropriation for the kidney disease task force
13 related to chronic disease prevention programs.

14 (2) For the 2021-22 state fiscal year, \$1,882 is appropriated to the
15 legislative department for use by the general assembly. This appropriation
16 is from the general fund. To implement this act, the general assembly may
17 use this appropriation for per diem and travel reimbursement costs.

18 **SECTION 5. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.