

CHAPTER 274

HEALTH AND ENVIRONMENT

SENATE BILL 23-014

BY SENATOR(S) Moreno, Buckner, Coleman, Cutter, Exum, Fields, Ginal, Hansen, Jaquez Lewis, Mullica, Priola, Winter F.; also REPRESENTATIVE(S) Lindsay, Amabile, Bird, Boesenecker, Brown, deGruy Kennedy, Dickson, Duran, Froelich, Garcia, Hamrick, Jodeh, Kipp, Lieder, Mabrey, Michaelson Jenet, Ricks, Sirota, Snyder, Story, Titone, Vigil, Woodrow, Young, McCluskie.

AN ACT

CONCERNING ESTABLISHING THE DISORDERED EATING PREVENTION PROGRAM IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** part 21 to article 20.5 of title 25 as follows:

PART 21
DISORDERED EATING PREVENTION PROGRAM

25-20.5-2101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) EATING DISORDERS ARE INCREASINGLY RECOGNIZED AS A LEADING CAUSE OF MORBIDITY AND MORTALITY;

(b) IN 2015, COLORADO HAD THE FIFTH-HIGHEST RATE OF EATING DISORDERS IN THE COUNTRY AMONG YOUTH;

(c) PEOPLE OF COLOR; LESBIAN, GAY, BISEXUAL, OR TRANSGENDER INDIVIDUALS; YOUTH; AND OLDER COLORADANS ARE MORE LIKELY TO SUFFER FROM DISORDERED EATING BUT LESS LIKELY TO RECEIVE EATING DISORDER TREATMENT, CREATING A DISPROPORTIONATE GAP IN EATING DISORDER PREVENTION AND CARE; AND

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.

(d) THERE IS LIMITED STATE-SPECIFIC RESEARCH ON DISORDERED EATING AND ITS IMPACTS ON THE STATE OF COLORADO.

(2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT TO UNDERSTAND DISORDERED EATING AND ITS IMPACTS ON COLORADANS, THE STATE MUST FOCUS ON DEVELOPING RESEARCH AND RESOURCES TO EDUCATE COLORADANS ON THE SEVERITY OF DISORDERED EATING, PREVENT DISORDERED EATING IN COLORADO, AND SUPPORT COLORADANS WHO DEVELOP DISORDERED EATING. IT IS ALSO IMPORTANT TO RECOGNIZE THAT DISORDERED EATING HARMS AND INCREASES THE MORTALITY RATE OF PEOPLE OF COLOR; LESBIAN, GAY, BISEXUAL, OR TRANSGENDER INDIVIDUALS; YOUTH; AND OLDER COLORADANS.

25-20.5-2102. Definitions. AS USED IN THIS PART 21, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DISORDERED EATING" MEANS A RANGE OF IRREGULAR EATING DISORDERS THAT MAY WARRANT A DIAGNOSIS.

(2) "DISORDERED EATING PREVENTION PROGRAM" OR "PROGRAM" MEANS THE DISORDERED EATING PREVENTION PROGRAM CREATED IN SECTION 25-20.5-2103.

(3) "DISORDERED EATING PREVENTION RESEARCH GRANT PROGRAM" OR "GRANT PROGRAM" MEANS THE DISORDERED EATING PREVENTION RESEARCH GRANT PROGRAM CREATED IN SECTION 25-20.5-2105.

(4) "YOUTH" MEANS AN INDIVIDUAL WHO IS LESS THAN TWENTY-FIVE YEARS OF AGE.

25-20.5-2103. Disordered eating prevention program - creation - reports.

(1) ON OR BEFORE JULY 1, 2024, THE DISORDERED EATING PREVENTION PROGRAM IS CREATED IN THE DEPARTMENT WITHIN THE PREVENTION SERVICES DIVISION, ESTABLISHED IN SECTION 25-20.5-103.

(2) THE DIVISION SHALL:

(a) CREATE AND MAINTAIN AN EXTERNAL-FACING RESOURCE THAT IS UPDATED ANNUALLY AND INCLUDES KEY INFORMATION ABOUT DISORDERED EATING, INCLUDING RISK FACTORS AND PREVENTION FACTORS. THE EXTERNAL-FACING RESOURCE MUST BE CULTURALLY SENSITIVE, AND, WHEN POSSIBLE, AVAILABLE IN BOTH ENGLISH AND SPANISH.

(b) COLLABORATE WITH THE OFFICE OF SUICIDE PREVENTION, CREATED IN SECTION 25-1.5-101 (1)(w), AND OTHER PROGRAMS WITHIN THE DIVISION TO ALIGN WORK FOCUSED ON DISORDERED EATING, FACILITATE PUBLIC OUTREACH, AND INCREASE AWARENESS REGARDING DISORDERED EATING PREVENTION WITH A FOCUS ON IMPACTED COMMUNITIES, SUCH AS YOUTH, OLDER COLORADANS, PEOPLE OF COLOR, AND LESBIAN, GAY, BISEXUAL AND TRANSGENDER INDIVIDUALS;

(c) PARTNER WITH THE DEPARTMENT OF EDUCATION TO INFORM TEACHERS, ADMINISTRATORS, SCHOOL STAFF, STUDENTS AND PARENTS ON DISORDERED EATING PREVENTION; AND

(d) COORDINATE THE DISORDERED EATING PREVENTION RESEARCH GRANT PROGRAM.

(3) THE DIVISION MAY:

(a) CONTRACT WITH A THIRD-PARTY TO CONDUCT FOCUS GROUPS, INTERVIEW KEY INDIVIDUALS, CONDUCT SURVEYS, AND ESTABLISH A COLLABORATIVE GROUP TO DISCUSS KEY ISSUES REGARDING DISORDERED EATING PREVENTION;

(b) PARTNER WITH THE BEHAVIORAL HEALTH ADMINISTRATION, CREATED IN SECTION 27-50-102; AND

(c) IDENTIFY DISORDERED EATING PREVENTION STRATEGIES, INCLUDING DISMANTLING DISCRIMINATION AND BIAS WITH REGARD TO WEIGHT.

(1) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR BEFORE NOVEMBER 1, 2025, AND EVERY NOVEMBER 1 THEREAFTER, THE DIVISION SHALL SUBMIT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A REPORT THAT SUMMARIZES THE RECOMMENDATIONS FROM THE INFORMATION THE DIVISION RECEIVES REGARDING THE DISORDERED EATING PREVENTION RESEARCH GRANT PROGRAM PURSUANT TO SECTION 25-20.5-2105 (3)(b). THE DIVISION SHALL INCLUDE IN THE REPORT ANY FINDINGS AND RECOMMENDATIONS IT HAS TO IMPROVE DISORDERED EATING PREVENTION IN THE STATE.

25-20.5-2104. Disordered eating prevention research grant program - creation - process - reporting requirements - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELIGIBLE APPLICANT" MEANS AN INDIVIDUAL, NONPROFIT ORGANIZATION, OR FOR-PROFIT ORGANIZATION THAT CONDUCTS RESEARCH ON DISORDERED EATING AND PREVENTION IN YOUTH, ADULTS, AND OLDER COLORADANS OR SERVES YOUTH, ADULTS, AND OLDER COLORADANS WHO HAVE DISORDERED EATING TRAITS.

(b) "GRANT RECIPIENT" MEANS AN ELIGIBLE APPLICANT THAT THE DIVISION SELECTS TO RECEIVE MONEY THROUGH THE GRANT PROGRAM.

(2)(a) THERE IS CREATED IN THE DIVISION THE DISORDERED EATING PREVENTION RESEARCH GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE FINANCIAL ASSISTANCE TO ELIGIBLE APPLICANTS TO CONDUCT RESEARCH ON THE ROOT CAUSES OF DISORDERED EATING AND EXAMINE THE RISK FACTORS AND PROTECTIVE FACTORS FOR DISORDERED EATING IN YOUTH, ADULTS, AND OLDER COLORADANS.

(b) ON OR BEFORE OCTOBER 1, 2024, THE DIVISION SHALL ADOPT GUIDELINES FOR THE GRANT PROGRAM. THE GUIDELINES MUST INCLUDE:

(I) APPLICATION PROCEDURES BY WHICH ELIGIBLE APPLICANTS MAY APPLY FOR A GRANT PURSUANT TO THIS SECTION;

(II) CRITERIA TO USE IN SELECTING ELIGIBLE APPLICANTS TO RECEIVE GRANT MONEY AND DETERMINING THE AMOUNT OF GRANT MONEY TO BE AWARDED TO EACH GRANT RECIPIENT;

(III) PROCEDURES FOR THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING THE DATES THE DEPARTMENT AND THE OFFICE OF DISORDERED EATING PREVENTION ANNOUNCE THE GRANT PROGRAM, BEGIN ACCEPTING APPLICATIONS, ALLOW ELIGIBLE APPLICANTS TO SUBMIT APPLICATIONS, AND BEGIN DISTRIBUTING GRANT MONEY TO THE GRANTEES; AND

(IV) REPORTING PROCEDURES FOR GRANT RECIPIENTS.

(3) (a) EACH GRANT RECIPIENT SHALL SUBMIT A WRITTEN REPORT TO THE DIVISION. THE REPORT MUST INCLUDE A SUMMARY OF THE RESEARCH MADE POSSIBLE BY THE GRANT MONEY.

(b) THE DIVISION SHALL INCLUDE IN THE REPORT REQUIRED PURSUANT TO SECTION 25-20.5-2103 (4) THE FOLLOWING INFORMATION REGARDING THE ADMINISTRATION OF THE GRANT PROGRAM DURING THE PRECEDING YEAR:

(I) THE NUMBER OF GRANT RECIPIENTS THAT RECEIVED MONEY FROM THE GRANT PROGRAM;

(II) THE AMOUNT OF EACH GRANT AWARD TO EACH GRANT RECIPIENT;

(III) A SUMMARY OF GRANT RECIPIENTS' WRITTEN REPORTS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION.

(4) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

SECTION 2. Appropriation. For the 2023-24 state fiscal year, \$26,679 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from the general fund and is based on an assumption that the division will require an additional 0.2 FTE. To implement this act, the division may use this appropriation for the disordered eating prevention program related to family and community health.

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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 30, 2023