Colorado Department of Public Health and Environment

SMART Act Hearing

Joint Senate Health and Human Services and House Energy and Environment Committee

January 26, 2022

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Department of Public Health & Environment

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CDPHE Mission & Vision

Mission:

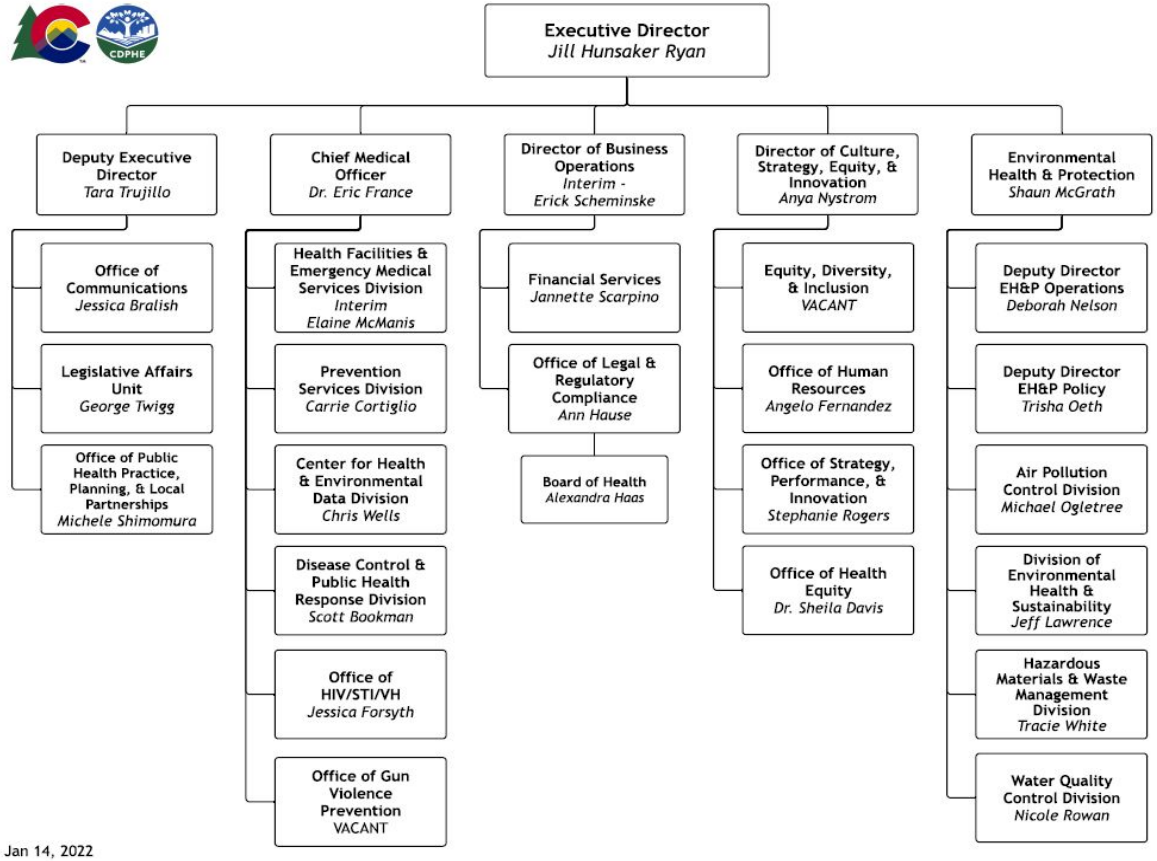
Advancing Colorado's health and protecting the places where we live, learn, work, and play.

Vision:

A healthy and sustainable Colorado where current and future generations thrive.

CDPHE Organizational Chart

- 1,788 Total FTE
- 4 Campuses
- 850 contractors and volunteers added due to pandemic



Jan 14, 2022

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CDPHE Performance Management

- Current State:
  - Cyclical review of WIG measures with leadership and staff to monitor progress, highlight successes, and elevate barriers to progress to the executive level.
- Future State:
  - Regular cadence to review WIGs while integrating regular monitoring of progress towards our strategic goals to monitor overall organizational health and employee wellbeing.

Public Health Performance Management System Framework

Source: Public Health Foundation, Turning Point Performance Management National Excellence Collaborative

Equity, Diversity, and Inclusion

In accordance with the Governor's Executive Order 2020 175, the Department is focused on the following efforts that will build and sustain a culture where equity, diversity, and inclusion is imbedded around three key pillars: our *people*, our *operation*, and our *community*.

Our People:

- (2021) 98% completion rate of EDI Foundational Training
- (2021) Employee Resource Groups accomplishments
- (2022) Building an Inclusive Leadership Strategy and career mobility & advancement programs (Workforce Revitalization)
- (2022) Employer Brand & EDI Recruitment Strategy
- (2022) EDI People Analytics dashboard

Total FTE: 1788 ⇧ from 2020

Current Turnover: 10% ⇩ from 2020

Total workforce racial diversity: 24.3% Non-white

Leadership racial diversity: 21.7% Non-white

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In accordance with the Governor's Executive Order 2020 175, the Department is focused on the following efforts that will build and sustain a culture where equity, diversity, and inclusion is imbedded around three key pillars: our *people*, our *operation*, our *community*.

Our Operation and Our Community:

- Long-term plan and reporting aligned with our 2022 Department Strategic Plan efforts.
- (2022) Procurement- develop methods to collect vendor's demographic data to understand the percentage of contracts going to 'minority' owned and women owned businesses.
- Building towards the HB21-1110 Accessibility work plan by July of 2022. Partnership with OIT and integrated with the Department Strategic Plan.
- The Health Equity & Environmental Justice Collaborative is partnering with the Office of Health Equity, the Environmental Justice Unit, and Boards & Commissions to develop and implement comprehensive guidelines and policies to effectively build community power, assure greater participation, and to coordinate our engagements with community to minimize community fatigue.

Office of Health Equity

Senate Bill 21-181 is designed to eliminate structural barriers to health and wellbeing experienced by priority populations so that all Coloradans have the opportunity to thrive. The legislation outlines three principle strategies to achieve these goals:

1. The Health Disparities and Community Grant Program
2. Root Cause Health Inequities Reports for all OHE Statute priority populations - beginning with the Black, Indigenous, and People of Color (BIPOC) populations - On target for July of 2022
3. Creation of state agency strategic plans that will focus on how respective agencies will address health inequities through policy and practice levers

Environmental Justice Unit

CDPHE launched a new Environmental Justice Unit in June 2022. The Unit is working to implement the Environmental Justice Act (HB21-1266):

- Environmental Justice Action Task Force: 1st meeting 12/20/21
  - On track to make recommendations to legislature by 11/14/22
- Environmental Justice Advisory Board: 1st meeting 1/5/22
  - On track to launch environmental justice grants program in late 2022
- Environmental Justice Ombudsperson:
  - On track for Governor to appoint ombudsperson by February 2022
- Mapping Disproportionately Impacted Communities: EnviroScreen beta testing Feb. to Apr.
  - On track to launch Colorado EnviroScreen in June 2022

Learn more on our website:
https://cdphe.colorado.gov/environmental-justice

CDPHE FY 2021-22 Wildly Important Goals (WIGs)

COVID-19

Suicide Prevention

Air Quality

HIV Prevention

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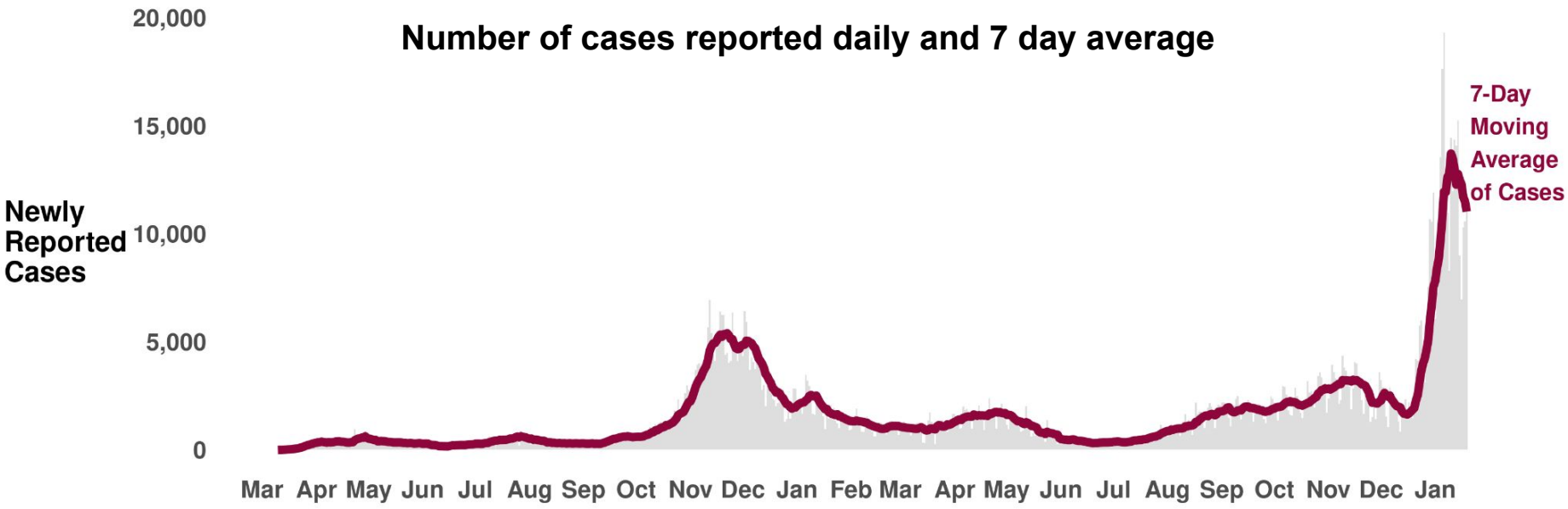
COVID-19 is on a downward trajectory from our highest wave



Updated Jan 20, 2022

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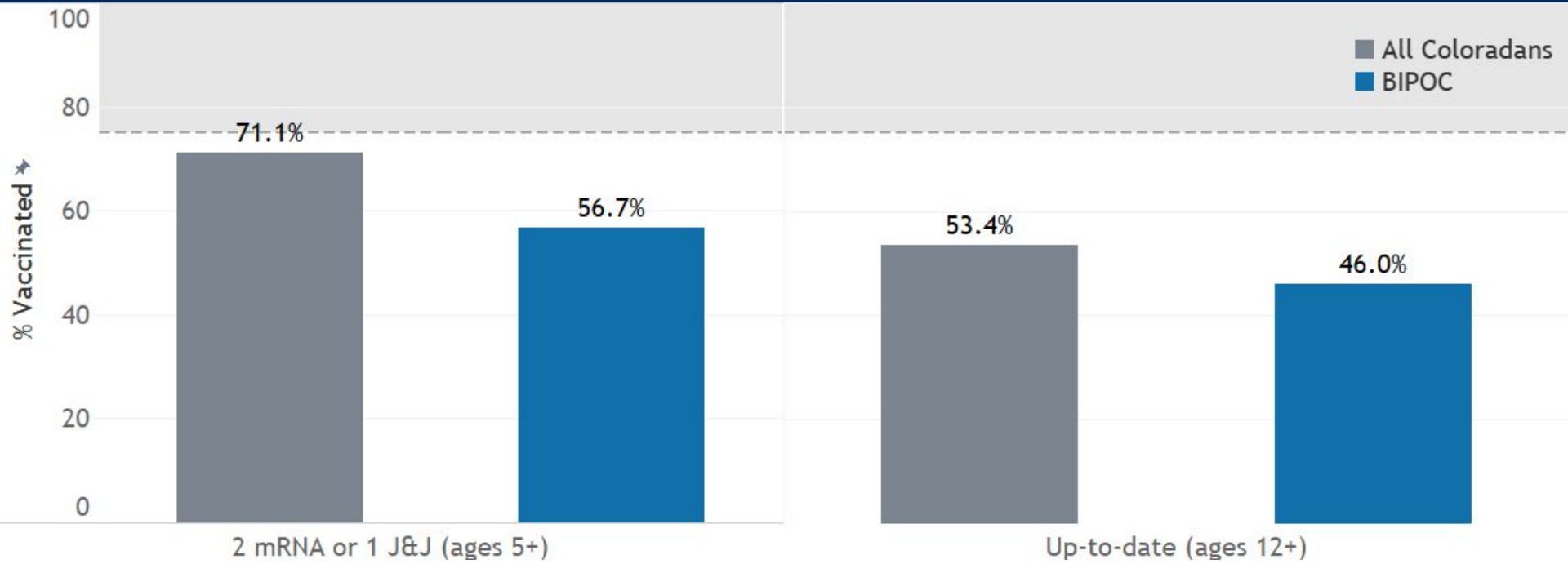
WIG: To have 75% of Coloradans Up to Date on COVID-19 Vaccinations

% of All Coloradans & BIPOC Coloradans vaccination status (target 75%)



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CDPHE Strategies to Reduce Transmission and Protect Hospital Capacity

- Getting everyone up to date with CDC recommended vaccinations.
- Running large-scale free community testing sites as well as providing over-the-counter home tests and testing to schools.
- Staffing hospitals across the state to avoid overwhelming our healthcare system.
- Building and scaling distribution of therapeutics: monoclonal antibody treatment and oral antivirals.
- Planning for an endemic level of response instead of the surge response we are currently providing.

CDPHE FY 2021-22 Wildly Important Goals (WIGs)

COVID-19

Suicide Prevention

Air Quality

HIV Prevention

WIG: Reduce Greenhouse Gas (GHG) Emissions

Emissions have been decreasing since 2010

Full WIG Langauge: Reduce Greenhouse Gas (GHG) emissions economy-wide from a 2005 baseline of 139.33 million metric tons (MMT) of CO2e (carbon dioxide equivalent) per year to 113.1 MMT of CO2e per year by June 30, 2022, and to 106.625 MMT by June 30, 2024.

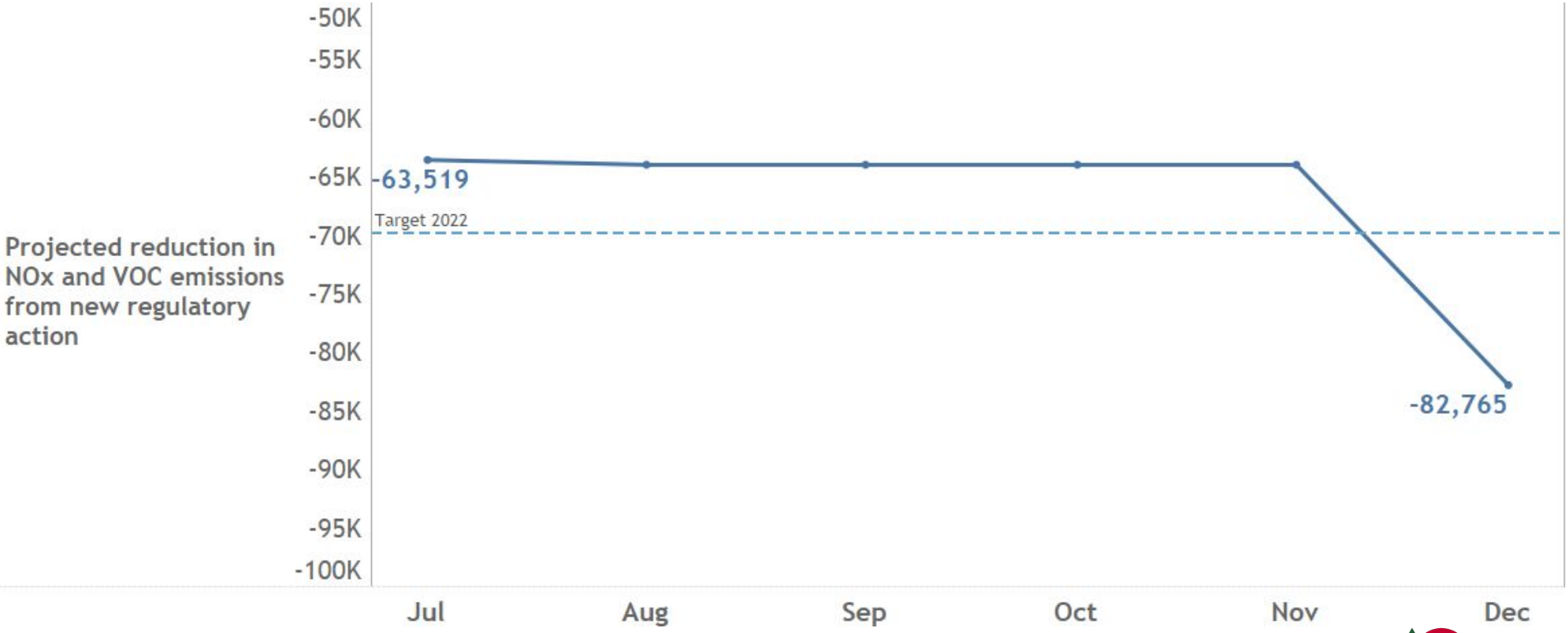
Context: Successful completion of this goal will mean that Colorado has made consequential progress towards its GHG reduction goals, and is considered a beacon and model for meaningful actions that others may also use to mitigate the impacts of climate change. Addressing this global issue will require the commitment of federal, state and local governments acting to significantly reduce GHG emissions and influence others to do more.

CDPHE Strategies to Reduce Greenhouse Gas Emissions

- Low and Zero Emission Vehicle Rules
- Rules transitioning Colorado away from coal-fired electric generation to cleaner forms of energy, securing closure dates on a number of coal-fired power generating units across the state.
- Establishment of 4 enterprises focused on investments in transportation electrification
- Collaborating with CDOT and other state agencies on a Clean Trucking Strategy
- Supporting CDOT and the Transportation Commission in the adoption and implementation of GHG Planning Standard
- Requirements for energy intensive trade exposed industries to perform energy audits and reduce GHGs
- Rules for the oil and gas industry
    - Direct regulation: new monthly leak detection and repair requirements, well maintenance emission reduction requirements, pigging and blowdown activities, and additional reporting requirements
    - Intensity program to lower upstream emissions
    - Emission reduction plan requirements for midstream

WIG: Reduce Ground-Level Ozone to Meet Federal Standards

New regulations project a significant reduction in ozone precursors NOx and VOC emissions



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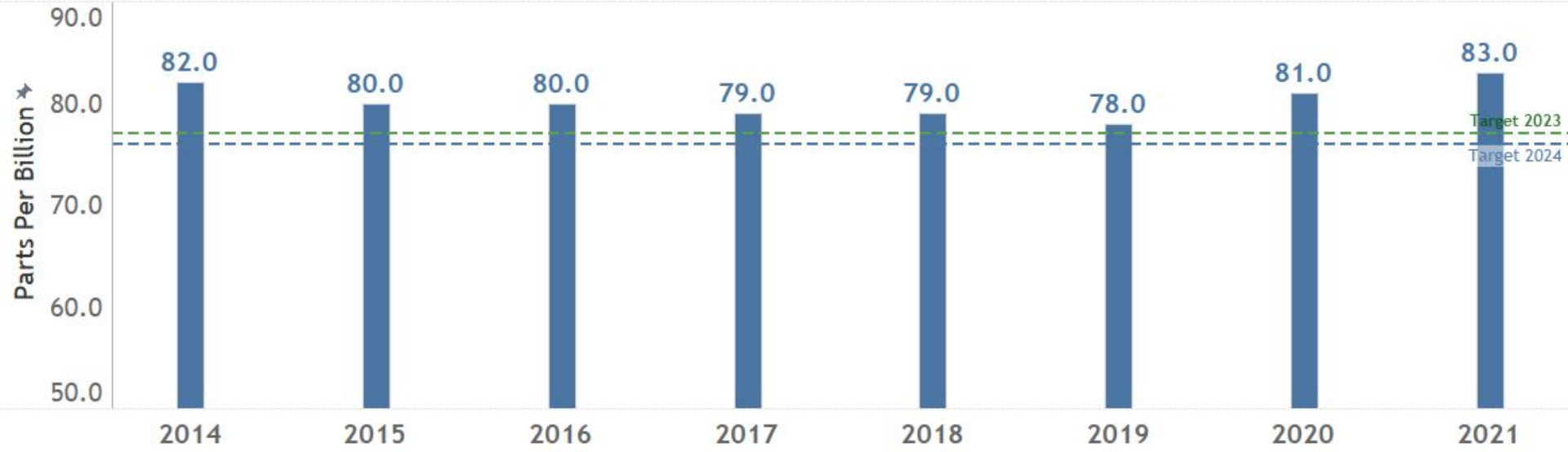
WIG: Reduce Ground Ozone to Meet Federal Standards

Wildfires and natural events are impacting performance

Full Wig Langauge: Reduce ozone from 81 parts per billion (ppb) to 78 ppb by June 30, 2022, 77 ppb by June 30, 2023, and 76 ppb by June 30, 2024.



Context: Successful completion of this goal will result in cleaner air, free from harmful ozone pollution, which will benefit Coloradans in many ways, from our public health, to our economy, to our valuable public spaces.

CDPHE Strategies to Reduce Ozone Precursor Emissions

- Vehicle Strategies
  - New vehicle emission standards
  - Inspection and Maintenance program
  - Motor vehicle budgets
  - Cleaner burning fuels
- Oil and Gas Sector
  - Comprehensive rules to control VOC emissions from tanks, dehydrators, pneumatic devices, and other oil and gas operations
  - NOx engine standards
  - Leak detection and repair
  - Prohibitions on venting
- Emission control requirements for industrial sources
- Transition away from coal fired electric generation, stringent controls on gas fired generation, and increasing reliance on renewable sources
- Stringent permitting rules
  - Lowest Achievable Emission Rate (LAER) and emission offsets for major sources
  - Reasonably Available Control Technology for minor sources

CDPHE FY 2021-22 Wildly Important Goals (WIGs)

COVID-19

Suicide Prevention

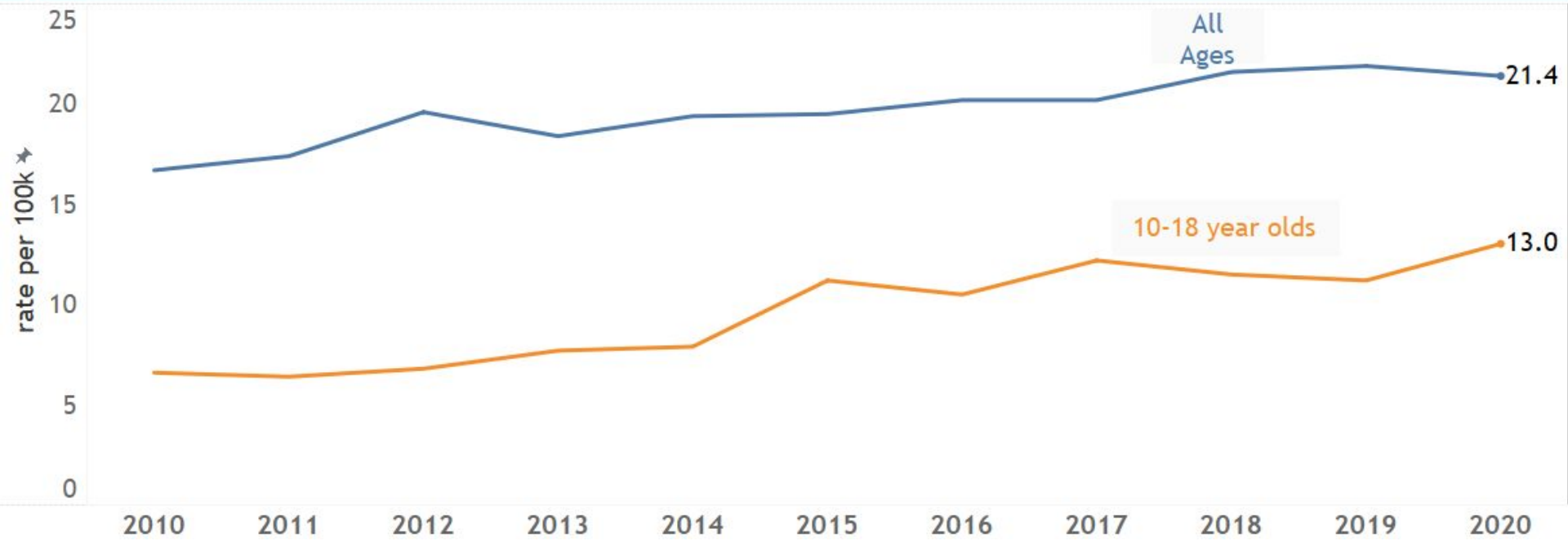
Air Quality

HIV Prevention

WIG: Suicide Prevention

Reduce Colorado's Overall Suicide Rate 8% from 2020 to 2024

SUICIDE RATE: Colorado's age-adjusted suicide fatality rate has remained stable for the past few years. It's too soon to know the long term pandemic impact.



Rate of suicide fatalities per 100,000 in Colorado, 2015-2020, all ages and ages 10-18

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WIG: Expand the Hospital Follow Up Project

Increase the # of individuals served annually from 3,000 to 6,000. (77% of goal achieved as of Dec 2021)

Full WIG Langauge:Increase the annual number of Coloradans provided this life-saving service via the Colorado Hospital Follow Up Project from 3,000 to 6,000 by June 30, 2022 and maintain at 6000 by June 30, 2024.

Context: Successful completion of this goal will ensure that evidence-based caring contact post-discharge moves toward becoming a standard of care for Coloradans after a crisis, suicide attempt, or overdose, in addition to a variety of other prevention programs outlined below.

Strategies to Reduce Suicide in Colorado:

- Collaboration across departments
- Expand adoption of Zero Suicide framework and ED Follow Up Project in healthcare systems
- Incentivize coroner agencies to use the Colorado Suicide Investigation Form.
- Support prevention initiatives for priority populations and occupations
  - Sources of Strength
  - OperationVeteranStrong.org website improvement and promotion
  - ManTherapy.org website improvement promotion
  - Collaboration with the firearm community

CDPHE FY 2021-22 Wildly Important Goals (WIGs)

COVID-19

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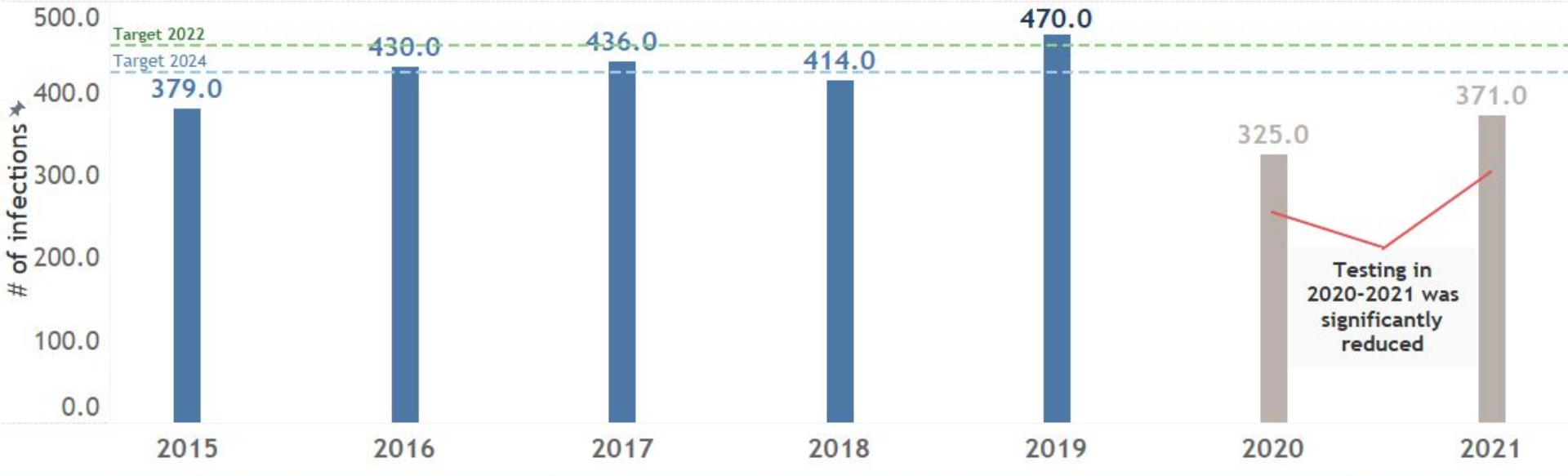
WIG: Reduce the Number of New HIV Diagnoses

New cases peaked in 2019 and then testing significantly decreased due to the pandemic

Full WIG Langauge: 4: Decrease the number of annual newly reported HIV diagnoses from 470 (FY 2019-20 baseline) to 456 by June 30, 2022, and to 423 by June 30, 2024.



Successful completion of this goal will reduce the number of new HIV diagnosed cases in Colorado by ensuring equitable access to HIV prevention, care and treatment.

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WIG: Reduce New HIV Diagnoses Lead Measures

- In 2020 67.6% of people diagnosed with HIV were virally suppressed compared to 72% in 2019.
- In 2020 we saw zero cases of perinatal HIV transmission compared to two cases in 2019.
- In 2020 the number of late stage diagnoses among Latinx and African Americans was 41 cases compared to 57 cases in 2019.
- In 2021 16% of eligible clients received a PrEP prescription compared to 19% in 2019.
- In 2021 43% of HIV testing occurred in a prioritized setting compared to 45% in 2019

CDPHE Strategies to Reduce HIV Transmission

- Collaboration with community partners:
  - Identify priorities, innovative strategies, and targeted approaches
- Supporting PrEP navigation and payment assistance programs
  - PrEP is an evidence-based strategy for biomedical HIV prevention
- Supporting targeted testing in community settings such as bathhouses, bars, barbershops, and gyms
- Link clients to care and support medication assistance programs to ensure viral suppression, reducing likelihood of ongoing transmission
- Suport women throughout pregnancy to ensure access to prenatal & HIV care to eliminate perinatal transmission

More Information

To view monthly updates on Wildly Important Goals and corresponding lead measures, please visit the Governor's Dashboard.

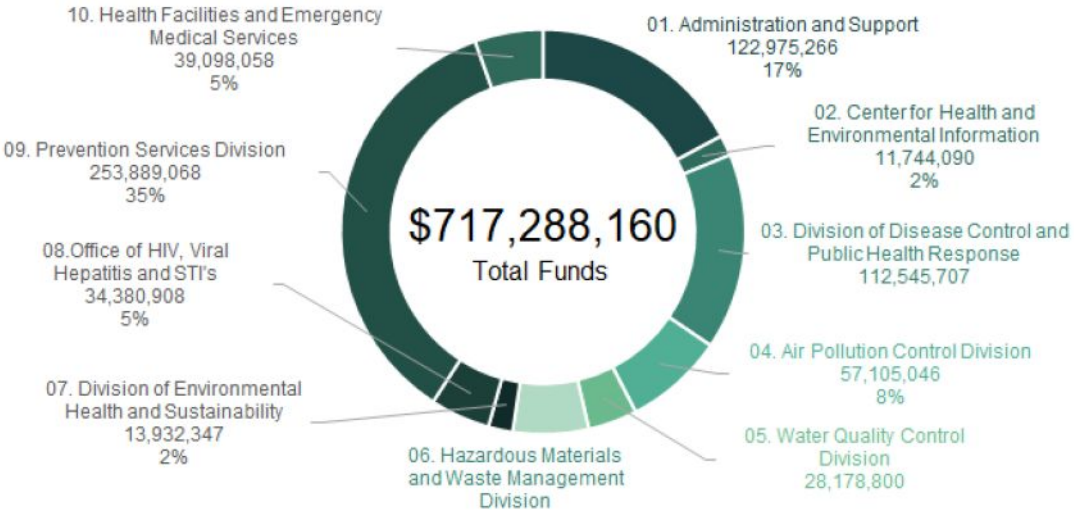
For more information on additional CDPHE goals, view our FY 2021-22 Performance Plan at: operations.colorado.gov/performance-management/department-performance-plans

Department's Strategic Plan Dashboard: https://cdphe.colorado.gov/about-cdphe/strategic-plan

CDPHE FY 2022-23 Budget Request (Nov. 1)

FY 2022-23 Budget Snapshot

FY 2022-23 Total Funds: $717.3M
FY 2022-23 General Fund: $133.0M
FY 2022-23 FTE: 1,681.5



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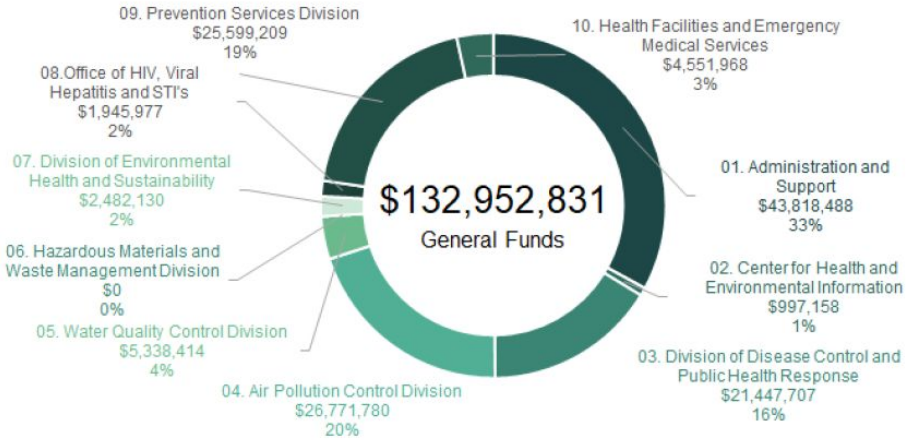

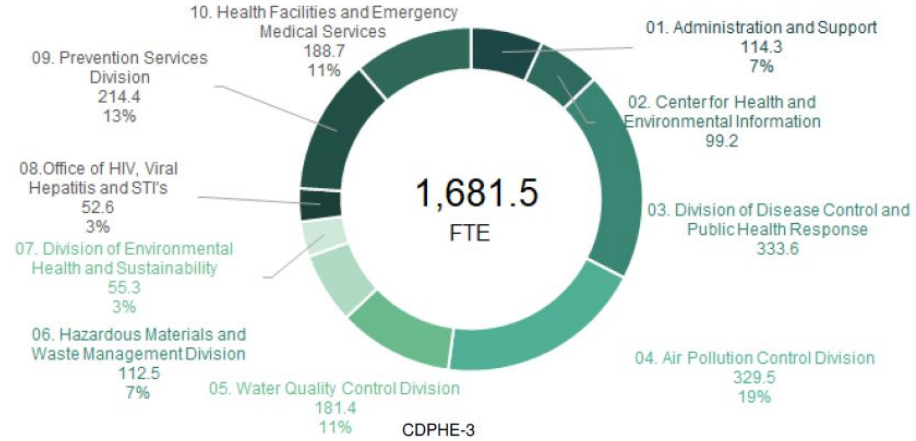

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Stimulus Funding Implementation (1 of 2)

- S.B. 21-137 (Behavioral Health Recovery Act) The CDPHE received $5.9 million Cash Funds (Behavioral and Mental Health Cash Fund) and 1.0 FTE for various health initiatives. Appropriates:
  - $1,700,000 for the Colorado Health Services Corps loan repayment program for awards to behavioral health providers and scholarships for addiction counselors;
  - $1,000,000 for the opiate antagonist (naloxone) bulk purchase fund;
  - $2,000,000 for the HIV and AIDS Prevention Grant Program; and
  - $1,200,000 for school-based health centers.

- S.B. 21-243 (CDPHE Public Health Infrastructure): The CDPHE received $21.1 million appropriation from the Economic Recovery and Relief Cash Fund and 121.4 FTE for
  - disease control and public health response ($11.1M and 121.4 FTE), and
  - distributions to local public health agencies ($10.0M).

Stimulus Funding Implementation (2 of 2)

- S.B. 21-260 (Sustainability of the Transportation System) The bill created the Clean Fleet Enterprise to incentivize and support the use of electric motor vehicles and other technologies in private and government vehicle fleets. The bill allows the enterprise to impose a clean fleet fee on retail deliveries and rides provided by transportation network companies. The bill provides $1.7 million General Fund (ARPA) for initial enterprise set-up expenditures, to be repaid back by the enterprise.

CDPHE FY 2022-23 Decision Item Requests

R-01 Air Quality Transformation

- $24.8 million General Fund in FY 2022-23
  - $27.4 million in FY 2023-24
- Fundamental, once-in-a-generation shift in the State's approach to improving air quality for Colorado's residents and visitors
- Built around five critical "pillars"
  - *Cutting-Edge Regulations* - regulatory initiatives will be pursued to help meet Colorado's ozone, GHG and environmental justice goals
  - *Immediate Emissions Reductions* - Incentives to transition from gasoline powered to electric engines for lawn equipment
  - *Air Quality Science* - Additional and updated air quality data is needed to improve overall understanding of air quality, inform strategies and support public communication
  - *Community Services* - Close a gap in meeting public expectations regarding communication and availability of air quality information
  - *Driving APCD Performance* - Support more stringent permitting, compliance, enforcement and oversight as required under the Clean Air Act

CDPHE FY 2022-23 Decision Item Requests

R-02 Colorado Dairy Protection

- $400,000 GF in FY23 and FY24 to fully fund the CDPHE milk program, which inspects and tests pasteurization equipment in accordance with national standards.

R-03 Health Facilities General Licensure

- $500,000 GF in FY23 and FY24 to ensure that health facilities such as nursing homes and hospitals are following state regulations for the care and treatment of patients, residents and clients.

R-04 Emergency Medical & Trauma Support Services

- $2.0 million in FY23 to provide grants to EMS providers, hospitals, and other health care facilities. Grants are used for purposes such as the purchase of ambulances and to subsidize costs for EMS and emergency department hospital staff.

CDPHE FY 2022-23 Decision Item Requests

R-05 Administration Division Policy Staff

- $357,580 RF to enhance the Department's effectiveness in policy-related decision-making, coordination with elected officials, and stakeholder engagement.

R-06 Enterprise Phone System

- $222,125 RF to facilitate transition to a Managed IP Communications telephone system to right-size and replace CDPHE's aging telephonic infrastructure.

R-07 Provider Rate Increase

- $92,316 total funds in support of a Statewide 1.0% provider rate increase .

FY 2022-23 Legislative Agenda

Air Investment Package

- The Governor's Air Quality Investment Package also includes legislative proposals for CDPHE to implement a $150 million investment in electric school buses to reduce the exposure of children to diesel emissions, $7 million to increase oil and gas aerial and ground monitoring, and $15 million down payment to start replacing the oldest and dirtiest trucks on the roads with low-emissions alternatives.

Advancing Waste Diversion Through Market Development in Colorado

- Creates a Circular Economy Development Center to support existing and new Colorado businesses that manufacture products using recycled materials (currently only 12% of recyclables are re-manufactured in-state). Also modifies an existing recycling and composting grant program to address issues making it difficult for many local governments and small businesses to apply for funding.

FY 2022-23 Legislative Agenda

Emergency Medical Service Accountability, Equity, and Standardization

- Aligns Colorado's Emergency Medical Services system with national standards by authorizing the department to provide centralized oversight of ground ambulance agencies, in order to reduce fragmentation and improve consumer protection and safety.

Flexibility in Oral Health Funding

- Expands the allowable uses of funding for the State Dental Loan Repayment Program to also support the Oral Health Community Grants Program, which invests in initiatives reducing racial, economic, and geographic oral disease disparities, especially in children.

FY 2022-23 Legislative Agenda

Extension of Medical Marijuana Research Grants and Studies

- Extends funding for two medical marijuana research studies delayed when the COVID-19 pandemic forced the closure of the CU Anschutz Medical Campus. The research is studying the use of marijuana to treat autism spectrum disorder and to reduce opioid use.

Federal Bureau of Investigation Criminal History Record Revision

- Revises criminal background check statutes governing licensed health care facilities and EMS providers in order to comply with Federal Bureau of Investigation policy.

FY 2022-23 Legislative Agenda

Safe Haven Statute Revision

- Corrects an unintended technical defect in Senate Bill 18-050 in order to include free-standing emergency departments as eligible safe haven locations.

Statewide System of Advance Medical Directives Revision

- Implements recommendations from the advance directives registry pilot project and revises the advance directives registry statute in order to eliminate cost and access barriers and increase patient ease-of-use and autonomy over personal healthcare data.

Regulatory Agenda - Board of Health

CDPHE provides a preview of all of its planned regulatory proceedings online.

Notable proceedings for 2022 include:

- Board of Health: Behavioral Crisis Secure Transport from HB21-1085. This creates a county oversight system for transport that is not an ambulance for behavior crisis transports.
- Board of Health: Community Behavioral Health Disaster Program from HB 21-1281. This creates funding for behavioral health disaster planning and services, with some corresponding rules regarding how a system should look and how the funds can be spent.

Regulatory Agenda - Environmental Commissions

Notable proceedings for 2022, for the Air Quality Control Commission (AQCC) and Water Quality Control Commission (WQCC) include:

- AQCC: The Advanced Clean Trucks rule will help to reduce emissions from the transportation sector to move closer to meeting our climate goals set by HB19-1261 and HB21-1266.
- AQCC: Ozone SIP revisions will help the state move towards our ozone attainment requirements by further reducing emissions of nitrogen oxides and volatile organic compounds in Colorado's Denver-Metro North Front Range.
- AQCC: Revisions to the commission's greenhouse gas regulation to include requirements establishing a recovered methane protocol and establish a greenhouse gas crediting and tracking system in response to SB21-264.
- WQCC: Lakes-nutrients. The commission will consider revisions to the nitrogen and phosphorus water quality standards for lakes and reservoirs in Colorado. Colorado's current standards were adopted in 2012. The revisions are intended to reflect the latest data and science, and resolve EPA's concerns with the existing standards.

Paint Stewardship Program

- PaintCare collected 658,356 gallons of unused paint in 2020 (over 3.7 million gallons of unused paint since 2015)
- Approximately 533,000 gallons of latex paint was processed into recycled paint, and 125,000 gallons of oil based paint was used as an industrial fuel source
- PaintCare serviced over 48 types of paint collection events and provided 100 direct large volume pick-ups from businesses in 2020.
- PaintCare increased the number of year-round drop-off sites during 2020. Residents now have access to 180 year-round, permanent drop-off locations throughout Colorado.
- 95.5% of Coloradans live within a 15 mile radius of a permanent drop-off location.

Paint Stewardship Program

- Roughly 14.9 million gallons of paint sold in 2020, yielding just under $7.6 million in fee revenue. Program expenses were just under $5.8 million.
- PaintCare reserve fund balance was $8.1 million at the beginning of 2021 – CDPHE requested PaintCare lower their fees on the sale of new paint to drive down their surplus
- Independent financial audit shows PaintCare's 2020 changes in net assets and cash flows ended in accordance with accounting principles generally accepted in the United States.
- PaintCare advertised on several online, social media, print, and radio pla
- Please visit the Department's Paint Stewardship website for a copy of the Department's annual report and PaintCare's annual report.

Stationary Source Control Fund Stakeholder Engagement Update

HB 18-1400 Legislative Presentation and SB 20-204 Utilization Report

HB 18-1400 Legislative Presentation & SB 20-204 Utilization Report

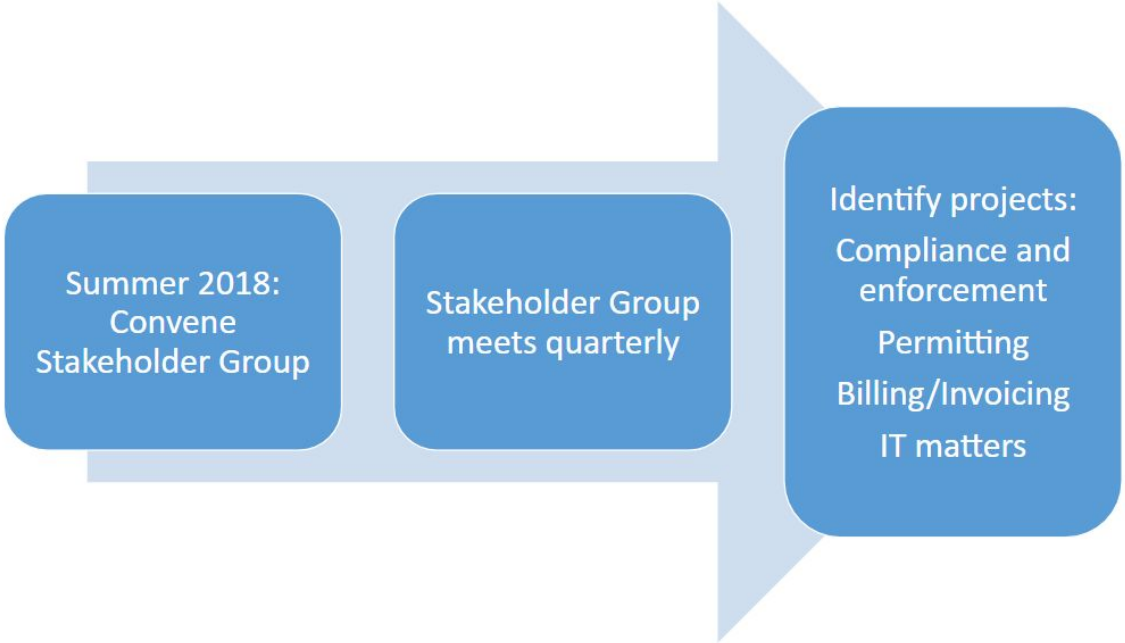
HB 18-1400 requires:

Beginning in 2019, the division shall present during the legislative session the results of the stakeholder process… including improved billing practices, increased accounting transparency, implemented efficiency improvements, and efficiency metrics, to the house of representatives health, insurance, and environment committee and the senate health and human services committee, or any successor committees.

SB 20-204 requires:

The Division to report how the fees have been utilized, what related efficiency and process improvements have been made, and a projective of short-term and long-term capital operating expenditure.

HB 18-1400 Stakeholder Engagement Process



Some of the Efficiency Projects Advanced with Stakeholder Input

Project	Status
Create inspection records request checklist	Complete
Improve accuracy of emission fee billing	Complete
Share with industry and oil and gas preliminary analysis permitting tool	Complete
Communicate non-oil and gas workload and processing times	Complete
Improve APCD website	On-going
Create permit guidance documents for Title V and non-oil and gas activities	Complete
Reactivate permit application tracking website	Complete
Improve cancellation processing time and tracking	Complete

Utilization and Funds Projection

- The Division continues to track the performance of the Stationary Source Control Fund and the impact of the economic downturn in order to maintain the division's ability to upgrade aging equipment, obtain staff needed to analyze and act on the data received, and upgrade information systems so the data can timely provide communities health risk information.
- Senate Bill 20-204 authorized 23.9 FTE to provide additional resources to maintain and/or improve air pollution standards from stationary sources, including addressing non-attainment of ozone levels, increasing compliance, monitoring, and inspections as well as developing additional information and identifying strategies to improve air emission strategies.
- The Stationary Sources Control Fund received additional one time revenue in FY21 and FY22 from the permitting of emission venting sources.
- As Colorado is successful in reducing emissions, revenue from emission fees will decline. At the same time, the need for the Air Pollution Control Division services will continue. The Department is continuing to assess potential long-term solutions.

In Conclusion

Thank you for entrusting us with these dollars and statutes . . .

We are particularly grateful for your continued support throughout the pandemic emergency. We've banded together as a state.

At CDPHE, we are passionate about making a meaningful impact and public service to each and every one of your constituencies, without exception.

Questions?

Lindsay Ellis

Legislative Liaison

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