



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 22-0305 Date: July 1, 2022
Prime Sponsors: Rep. Froelich Bill Status: Signed into Law
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Bill Topic: ACCESS TO MEDICALLY NECESSARY SERVICES FOR STUDENTS

- Summary of Fiscal Impact:
- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- School District

The bill requires an administrative unit to allow reasonable accommodations for medically necessary services in a school setting to a student who has a medical diagnosis and presents an accompanying prescription. Starting in FY 2022-23, the bill will increase school district workload, and will increase state expenditures in FY 2023-24 only.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under HB 22-1260

Table with 4 columns: Category, Sub-category, Budget Year FY 2022-23, and Out Year FY 2023-24. Rows include Revenue, Expenditures (General Fund), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

By July 1, 2023, an administrative unit, including school districts, boards of cooperative services, multi-district administrative units, or the state charter school institute must adopt a policy that addresses how a student who has a prescription from a qualified health-care provider for medically necessary treatment may receive the treatment in the school setting. The bill specifies what must be included in the policy and requires the administrative unit to post the policy online. Beginning July 1, 2024, the administrative unit must report to the Colorado Department of Education (CDE) the number of requests for access to a student by a private health care specialist, and whether the access was accepted or denied. Starting January 2025, the CDE must make this information available online and report it to the General Assembly.

State Expenditures

In FY 2023-24 only, the CDE will have programming costs of \$13,500 to collect and report the required data. The fiscal note estimates 108 hours of programming at a rate of \$125 per hour.

School District

Starting in FY 2022-23, the bill will increase workload for school districts to create a policy, and to collect the required data, and to monitor accommodations and compliance with the policy. Depending on the usage, additional FTE may be required by school districts; however, because it is unknown how often students will request accommodations, an exact impact cannot be determined.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve as shown in Table 1, which will decrease the amount of General Fund available for other purposes.

Effective Date

The bill was signed into law by the Governor on June 2, 2022, and takes effect on August 9, 2022, assuming no referendum petition is filed.

State and Local Government Contacts

Education School Districts