

## CHAPTER 429

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**HEALTH AND ENVIRONMENT**


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## SENATE BILL 21-181

BY SENATOR(S) Fields and Coram, Bridges, Buckner, Danielson, Fenberg, Ginal, Gonzales, Hansen, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Story, Winter, Garcia;  
 also REPRESENTATIVE(S) Herod and Caraveo, Bacon, Bernett, Bird, Cutter, Duran, Esgar, Exum, Froelich, Hooton, Jodeh, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ricks, Roberts, Sirota, Snyder, Valdez A., Valdez D., Weissman, Woodrow, Young, Garnett.

## AN ACT

CONCERNING STATE AGENCIES ADDRESSING HEALTH DISPARITIES IN COLORADO, 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, 24-22-117, **amend** (2)(d)(III) and (2)(f)(I) as follows:

**24-22-117. Tobacco tax cash fund - accounts - creation - legislative declaration.** (2) There are hereby created in the state treasury the following funds:

(d) (III) For fiscal year 2005-06, and each fiscal year thereafter, fifteen percent of the ~~moneys~~ MONEY transferred to the prevention, early detection, and treatment fund shall be transferred to the health disparities grant program fund created in ~~paragraph (f) of this subsection (2)~~ SUBSECTION (2)(f) OF THIS SECTION for the health disparities AND COMMUNITY grant program in part 22 of article 4 of title 25. ~~C.R.S.~~

(f) (I) The health disparities grant program fund to be administered by the department of public health and environment. ~~Moneys shall~~ MONEY MUST be transferred to the health disparities grant program fund as described in ~~subparagraph (III) of paragraph (d) of this subsection (2)~~ SUBSECTION (2)(d)(III) OF THIS SECTION. THE HEALTH DISPARITIES GRANT PROGRAM FUND ALSO CONSISTS OF ANY OTHER MONEY APPROPRIATED TO THE HEALTH DISPARITIES GRANT PROGRAM FUND BY THE GENERAL ASSEMBLY. All interest and income derived from the deposit and investment of ~~moneys~~ MONEY in the health disparities grant program fund ~~shall~~ MUST be credited to the health disparities grant program fund. ~~except that all interest~~

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*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.*

~~and income derived from the deposit and investment of moneys in the health disparities grant program fund during the 2008-09, 2009-10, 2010-11, and 2011-12 fiscal years shall be credited to the general fund. Any unexpended or unencumbered moneys MONEY remaining in the health disparities grant program fund at the end of the fiscal year shall MUST remain in the fund and shall not be credited to the general fund or any other fund. The moneys MONEY in the health disparities grant program fund shall MUST be annually appropriated by the general assembly to the department of public health and environment for allocation by the department of public health and environment consistent with the provisions of paragraph (d) of this subsection~~  
 (2) SUBSECTION (2)(d) OF THIS SECTION.

**SECTION 2.** In Colorado Revised Statutes, 25-4-2201, **amend** (2) as follows:

**25-4-2201. Legislative declaration.** (2) Therefore, the general assembly hereby declares that it is in the best interests of the state to establish a health disparities AND COMMUNITY grant program to provide prevention, early detection, and treatment of cancer and cardiovascular and pulmonary diseases to underrepresented populations.

**SECTION 3.** In Colorado Revised Statutes, 25-4-2202, **add** (3.3) as follows:

**25-4-2202. Definitions.** As used in this part 22, unless the context otherwise requires:

(3.3) "EQUITY STRATEGIC PLAN" MEANS A STRATEGIC PLAN THAT IDENTIFIES FOR CERTAIN STATE AGENCIES THE PRIORITIES, OBSTACLES, GOALS, AND TIMELINES NECESSARY TO ADDRESS IDENTIFIED HEALTH DISPARITIES IN EACH AGENCY'S RESPECTIVE AREA OF WORK AND INFLUENCE.

**SECTION 4.** In Colorado Revised Statutes, 25-4-2203, **amend** (1), (2) introductory portion, (2)(b), and (3) as follows:

**25-4-2203. Health disparities and community grant program - rules.**  
 (1) There is hereby created in the department the health disparities AND COMMUNITY grant program, referred to in this section as the "grant program", to provide financial support for statewide initiatives that address prevention, early detection, and treatment of cancer and cardiovascular and pulmonary diseases in underrepresented populations; AND TO POSITIVELY AFFECT SOCIAL DETERMINANTS OF HEALTH TO REDUCE THE RISK OF FUTURE DISEASE AND EXACERBATING HEALTH DISPARITIES IN UNDERREPRESENTED POPULATIONS. The office shall administer the grant program. The state board shall award grants to selected entities from ~~moneys~~ MONEY transferred to the health disparities grant program fund created in section 24-22-117 (2)(f). ~~C.R.S.~~

(2) The state board shall adopt rules that specify ~~but are not necessarily limited to~~ the following:

(b) Grant application contents, including: ~~but not limited to~~

(I) FOR MONEY ALLOCATED TO THE HEALTH DISPARITIES GRANT PROGRAM FUND PURSUANT TO SECTION 24-22-117 (2)(d)(III), how the program meets at least one of the program criteria specified in section 25-20.5-302 (1), WHICH MAY INCLUDE

POPULATION-BASED PREVENTION WORK FOCUSED ON INFLUENCING SOCIAL DETERMINANTS OF HEALTH TO ADVANCE HEALTH EQUITY FOR UNDERREPRESENTED POPULATIONS; AND

(II) FOR ANY ADDITIONAL MONEY APPROPRIATED BY THE GENERAL ASSEMBLY TO THE HEALTH DISPARITIES GRANT PROGRAM FUND CREATED IN SECTION 24-22-117 (2)(f) THAT IS NOT ALLOCATED FROM THE PREVENTION, EARLY DETECTION, AND TREATMENT FUND PURSUANT TO SECTION 24-22-117 (2)(d)(III), THE CRITERIA THAT MUST BE MET FOR A COMMUNITY ORGANIZATION APPLICANT TO RECEIVE GRANT MONEY TO REDUCE HEALTH DISPARITIES IN UNDERREPRESENTED COMMUNITIES THROUGH POLICY AND SYSTEMS CHANGES REGARDING THE SOCIAL DETERMINANTS OF HEALTH. THE CRITERIA MAY INCLUDE SPECIFICATIONS CONCERNING HOW COMMUNITY ORGANIZATIONS PLAN TO ACHIEVE HEALTH EQUITY THROUGH STRATEGIC PLANNING, BUILDING THE CAPACITY OF STAFF AND VOLUNTEERS, TECHNICAL TRAINING AND ASSISTANCE WITHIN THE COMMUNITY ORGANIZATIONS, AND THE EVALUATION OF THE COMMUNITY ORGANIZATION'S IMPACT ON THE COMMUNITY.

(3) The commission shall appoint a review committee to review the applications received pursuant to this section and make recommendations to the commission regarding the entities that may receive grants and the amounts of the grants. The commission shall finalize the recommendations for funding and provide them to the state board. Within thirty days after receiving the commission's recommendations, the state board shall award grants to the selected entities, specifying the amount and duration of each award. ~~A grant awarded pursuant to this section shall not exceed three years without renewal.~~

**SECTION 5.** In Colorado Revised Statutes, 25-4-2205, **amend** (2)(a); and **add** (2.5) as follows:

**25-4-2205. Powers and duties of the office of health equity.** (2) The office has the following powers, duties, and functions:

(a) Administering and coordinating the health disparities AND COMMUNITY grant program created in section 25-4-2203;

(2.5) (a) ON OR BEFORE JULY 1, 2022, AND CONTINUING EVERY TWO YEARS THEREAFTER, THE DEPARTMENT SHALL CONDUCT AN ASSESSMENT AND PUBLISH A REPORT CONCERNING HEALTH DISPARITIES AND INEQUITIES IN COLORADO THAT INCLUDES AN ASSESSMENT OF THE IMPACT OF SOCIAL DETERMINANTS OF HEALTH ON HEALTH DISPARITIES AND INEQUITIES AND RECOMMENDED STRATEGIES TO BEGIN TO ADDRESS SUCH INEQUITIES. THE DEPARTMENT SHALL COLLABORATE WITH THE COMMISSION, COMMUNITY PARTNERS WORKING ON HEALTH EQUITY ISSUES, LOCAL PUBLIC HEALTH AGENCIES, STAKEHOLDERS FROM AFFECTED COMMUNITIES, DATA ORGANIZATIONS, AND OTHER STATE AND LOCAL PARTNERS IN THE CREATION OF THE REPORT. IN ADDITION TO PROVIDING INFORMATION TO THE PUBLIC ABOUT THE IMPACT OF HEALTH DISPARITIES AND INEQUITIES ON COLORADANS, EACH STATE AGENCY THAT HAS REPRESENTATION ON THE COMMISSION SHALL USE THE REPORT IN THEIR PLAN AS DESCRIBED IN SUBSECTION (2.5)(b)(I) OF THIS SECTION. IN EACH REPORT AFTER THE FIRST PUBLISHED REPORT, THE DEPARTMENT SHALL REPORT THE PROGRESS MADE BY THE COMMISSION PURSUANT TO SUBSECTION (2.5)(b) OF THIS

SECTION TO ADDRESS THE SOCIAL DETERMINANTS OF HEALTH AND THE STRATEGIES USED TO ADDRESS HEALTH DISPARITIES AND INEQUITIES.

(b) WITHIN SIX MONTHS AFTER THE PUBLICATION OF THE FIRST REPORT REQUIRED IN SUBSECTION (2.5)(a) OF THIS SECTION:

(I) THE GOVERNOR SHALL CONVENE THE COMMISSION TO CONDUCT A STRATEGIC PLANNING PROCESS AND DEVELOP AN EQUITY STRATEGIC PLAN, TO RESPOND TO THE REPORT, AND TO ENSURE THAT THERE IS COORDINATION IN EQUITY-RELATED WORK ACROSS STATE AGENCIES TO ADDRESS THE SOCIAL DETERMINANTS OF HEALTH IN EACH AGENCY'S RESPECTIVE AREAS. THE STRATEGIC PLANNING PROCESS MUST INCLUDE INPUT FROM COMMUNITY STAKEHOLDERS AND POLICYMAKERS. THE DEPARTMENT MAY COLLABORATE WITH THE HEALTH DISPARITIES AND COMMUNITY GRANT PROGRAM CREATED IN SECTION 25-4-2203 TO ADDRESS ISSUES IDENTIFIED BY THE EQUITY STRATEGIC PLAN.

(II) EACH MEMBER OF THE COMMISSION THAT REPRESENTS A STATE AGENCY SHALL DEVELOP A PLAN TO ADDRESS THE SOCIAL DETERMINANTS OF HEALTH RELEVANT TO THAT STATE AGENCY AS THEY AFFECT HEALTH DISPARITIES AND INEQUITIES. EACH STATE AGENCY SHALL DEDICATE UP TO TWENTY HOURS OF STAFF TIME TO THE DEVELOPMENT AND IMPLEMENTATION OF THE EQUITY STRATEGIC PLAN.

**SECTION 6.** In Colorado Revised Statutes, 25-4-2206, **amend** (2)(a) introductory portion, (2)(a)(IV), (2)(a)(V), (2)(a)(VI), (3)(b)(II), and (3)(d); and **add** (2)(a)(VII), (2)(a)(VIII), (2)(a)(IX), (2)(a)(X), (2)(a)(XI), (2)(a)(XII), and (2)(a)(XIII) as follows:

**25-4-2206. Health equity commission - creation - repeal.** (2) (a) The commission consists of the following ~~fifteen~~ TWENTY-TWO members, who are as follows:

(IV) The executive director of the department, or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee, shall serve as an ex officio member of the commission;

(V) The executive director of the department of human services, or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee; ~~and~~

(VI) The executive director of the department of health care policy and financing, or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee;

(VII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(IX) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(X) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(XI) THE COMMISSIONER OF EDUCATION OF THE DEPARTMENT OF EDUCATION, OR THE COMMISSIONER'S DESIGNEE;

(XII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

(XIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

(3) The commission has the following powers and duties:

(b) Advising the department through the office on:

(II) Aligning the department's health equity efforts and the health disparities AND COMMUNITY grant program created in section 25-4-2203;

(d) Making recommendations to the office and the department on the health disparities AND COMMUNITY grant program created in section 25-4-2203, regarding financial support for local and statewide initiatives that address prevention, early detection, needs assessment, and treatment of cancer, cardiovascular disease, including diabetes, and pulmonary disease in minority populations.

**SECTION 7.** In Colorado Revised Statutes, **amend** 25-20.5-305 as follows:

**25-20.5-305. Evaluation.** Commencing with the 2006-07 fiscal year, and each fiscal year thereafter, the state board shall select a grant recipient to evaluate the effectiveness of the program and the health disparities AND COMMUNITY grant program established pursuant to part 22 of article 4 of this title TITLE 25. Costs for the evaluation shall be adequately funded from the amount annually appropriated by the general assembly to the division from the prevention, early detection, and treatment fund.

**SECTION 8. Appropriation.** (1) For the 2021-22 state fiscal year, \$4,872,818 is appropriated to the department of public health and environment for use by the office of health equity. This appropriation consists of \$4,821,035 from the general fund and \$51,783 from the health disparities grant program fund created in section 24-22-117 (2)(f)(I), C.R.S. To implement this act, the office may use this appropriation as follows:

(a) \$172,818, which consists of \$121,035 from the general fund and \$51,783 from the health disparities grant program fund, for program costs, which amount is based on an assumption that the office will require an additional 2.3 FTE; and

(b) \$4,700,000 from the general fund for health disparities grants.

**SECTION 9. 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.

Approved: July 6, 2021