

CHAPTER 407

HEALTH AND ENVIRONMENT

HOUSE BILL 21-1171

BY REPRESENTATIVE(S) Bradfield and Titone, Bacon, Burnett, Bird, Boesenecker, Duran, Exum, Herod, Hooton, Jackson, Jodeh, Kipp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Mullica, Ortiz, Snyder, Valdez A., Young, Froelich, Pico; also SENATOR(S) Buckner and Hisey, Bridges, Danielson, Ginal, Pettersen, Story, Zenzinger.

AN ACT**CONCERNING THE CREATION OF THE KIDNEY DISEASE PREVENTION AND EDUCATION TASK FORCE,
AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

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

- (a) The kidneys are vital organs that clean the blood, help control blood pressure, make red blood cells, and keep bones healthy;
- (b) Approximately 37 million Americans currently suffer from kidney disease and millions more are at risk for developing kidney disease in the future;
- (c) Black Americans are about 4 times more likely and Hispanic Americans are about 1.6 times more likely than white Americans to suffer from kidney failure;
- (d) In 2017, there were 1,138 new cases of kidney failure diagnosed in Colorado, and of those new cases, only 68 were able to receive a transplant;
- (e) In 2019, only an estimated 1 in 4 Coloradans on the waiting list for a kidney transplant were able to receive a transplant;
- (f) The main causes of chronic kidney disease are diabetes and high blood pressure, and an estimated 7% of Coloradans suffer from diabetes and an estimated 25.9% of Coloradans have high blood pressure;
- (g) According to the Centers for Disease Control, 96% of people with early

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.

kidney disease are unaware that they are afflicted because there are typically no symptoms until the later stages of the disease; and

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

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

SECTION 2. In Colorado Revised Statutes, **add 25-1-136** as follows:

25-1-136. Kidney disease prevention and education task force - created - powers and duties - report - selection of chair and vice-chair - sunset review - repeal. (1) THE KIDNEY DISEASE PREVENTION AND EDUCATION TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK FORCE", IS HEREBY CREATED.

(2) THE TASK FORCE CONSISTS OF THE FOLLOWING NINE VOTING MEMBERS:

(a) TWO MEMBERS FROM THE GENERAL ASSEMBLY, COLLECTIVELY REFERRED TO IN THIS SECTION AS THE "ELECTED MEMBERS", AS FOLLOWS:

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

(II) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES, APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(b) THE TASK FORCE CONSISTS OF THE FOLLOWING OTHER VOTING MEMBERS, COLLECTIVELY REFERRED TO IN THIS SECTION AS THE "NONELECTED MEMBERS", WITH FOUR MEMBERS BEING APPOINTED BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THREE MEMBERS BEING APPOINTED BY THE MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES:

(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) ONE MEMBER REPRESENTING THE RENAL PROVIDER COMMUNITY;

(III) ONE MEMBER REPRESENTING A COLORADO MEDICAL CENTER WITH A PROGRAM DEDICATED TO TREATING KIDNEY DISEASE;

(IV) ONE MEMBER REPRESENTING THE NEPHROLOGIST COMMUNITY;

(V) ONE MEMBER FROM A NONPROFIT ORGANIZATION FOCUSING ON KIDNEY DISEASE;

(VI) ONE MEMBER REPRESENTING THE KIDNEY PATIENT COMMUNITY; AND

(VII) ONE MEMBER FROM AN ORGANIZATION REPRESENTING THE HEALTH INTERESTS OF MINORITY POPULATIONS.

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

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

(4)(a) THE ELECTED MEMBERS SHALL CONVENE THE FIRST MEETING OF THE TASK FORCE NO LATER THAN NOVEMBER 1, 2021. AT THE FIRST MEETING, THE MEMBERS SHALL SELECT A CHAIR AND A VICE-CHAIR FROM AMONG THE ELECTED MEMBERS. THE ELECTED MEMBERS SHALL ALTERNATE AS CHAIR AND VICE-CHAIR EVERY YEAR THEREAFTER FOR THE DURATION OF THE TASK FORCE.

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

(5) THE PURPOSES OF THE TASK FORCE ARE:

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

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

(c) TO DEVELOP A SUSTAINABLE PLAN TO RAISE AWARENESS ABOUT EARLY DETECTION OF KIDNEY DISEASE AND TO PROMOTE HEALTH EQUITY, TRANSPLANTATION, AND TO REDUCE THE BURDEN OF KIDNEY DISEASE THROUGHOUT

THE STATE OF COLORADO, WHICH SHALL INCLUDE AN ONGOING CAMPAIGN THAT INCORPORATES:

- (I) HEALTH EDUCATION WORKSHOPS AND SEMINARS;
- (II) PREVENTATIVE SCREENINGS;
- (III) SOCIAL MEDIA CAMPAIGNS; AND
- (IV) TELEVISION AND RADIO COMMERCIALS.

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

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

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

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

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

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

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

(VI) THE KIDNEY DISEASE PREVENTION AND EDUCATION TASK FORCE CREATED IN SECTION 25-1-136.

SECTION 4. Appropriation. (1) For the 2021-22 state fiscal year, \$89,775 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 0.5 FTE. To implement this act, the division may use this appropriation for the kidney disease task force related to chronic disease prevention programs.

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

SECTION 5. 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 2, 2021