

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 22-0893.01 Brita Darling x2241

HOUSE BILL 22-1292

HOUSE SPONSORSHIP

Lindsay,

SENATE SPONSORSHIP

Jaquez Lewis,

House Committees

Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EXPANDING THE USES OF MONEY IN THE STATE DENTAL**
102 **LOAN REPAYMENT FUND TO INCLUDE ORAL HEALTH PROGRAMS**
103 **ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND**
104 **ENVIRONMENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill authorizes money from the tobacco master settlement agreement allocated to the state dental loan repayment program to also be used for oral health programs administered by the department of public

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Amended 2nd Reading
March 23, 2022

health and environment. The bill renames the "state dental loan repayment fund" the "state dental loan repayment and oral health programs fund" (fund).

The bill modernizes statutory language relating to the fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**
3 **with amendments,** 25-23-101 as follows:

4 **25-23-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
5 HEREBY FINDS AND DECLARES THAT:

6 (a) AS RESOLVED IN THE 2000 LEGISLATIVE SESSION, CHILDREN'S
7 ORAL HEALTH REMAINS A PRIORITY FOR HEALTH EQUITY IN COLORADO;

8 (b) ORAL HEALTH EQUITY FOR CHILDREN CAN BE ADVANCED BY
9 IMPROVED ACCESS TO CARE, BUT ALSO THROUGH EVIDENCED-BASED
10 PREVENTION ACTIVITIES;

11 (c) DENTISTS AND DENTAL HYGIENISTS ARE CRITICAL PARTNERS
12 IN ADDRESSING THE ORAL HEALTH-CARE NEEDS OF CHILDREN AND
13 UNDERSERVED COLORADANS IN RURAL AND LOW-INCOME COMMUNITIES;

14 (d) HOWEVER, COLORADO COMMUNITIES OFTEN ENCOUNTER
15 DIFFICULTY RECRUITING AND RETAINING DENTAL PROFESSIONALS TO
16 SERVE THESE COMMUNITIES;

17 (e) MANY DENTAL HEALTH PROFESSIONALS, PARTICULARLY
18 DENTISTS, GRADUATE WITH LARGE EDUCATION LOANS NEEDED TO FINANCE
19 THEIR PROFESSIONAL EDUCATION;

20 (f) FURTHER, DENTAL CARE IS PROVIDED PREDOMINANTLY
21 THROUGH INDIVIDUAL AND SMALL GROUP PRACTICES, WHICH CAN LIMIT
22 THE OPPORTUNITY FOR DENTAL HEALTH PROFESSIONALS TO PROVIDE A
23 SUBSTANTIAL VOLUME OF ORAL HEATH SERVICES AT REDUCED COST WHILE

1 STILL MAINTAINING REVENUES NECESSARY TO SUPPORT THE FIXED COSTS
2 OF OPERATING A DENTAL PRACTICE;

3 (g) WHEN PARTNERED WITH THE STATE, DENTAL HEALTH
4 PROFESSIONALS PROVIDE ACCESS TO ORAL CARE FOR PEOPLE IN NEED OF
5 SERVICES, AND REDUCING THE EDUCATION LOAN DEBT OF THESE
6 PROFESSIONALS ENSURES THEY HAVE MORE RESOURCES TO CARE FOR
7 UNDERSERVED CHILDREN AND COMMUNITIES; AND

8 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
9 COLORADO WILL CONTINUE ITS COMMITMENT TO PROVIDE SUPPORT TO
10 DENTAL HEALTH PROFESSIONALS WHO REQUEST EDUCATION LOAN
11 REPAYMENT AND TO ALSO USE FUNDS TO SUPPORT CHILDREN'S ORAL
12 HEALTH THROUGH COMMUNITY PUBLIC HEALTH INTERVENTIONS.

13 **SECTION 2.** In Colorado Revised Statutes, 24-75-1104.5,
14 **amend** (1.7) introductory portion and (1.7)(m) as follows:

15 **24-75-1104.5. Use of settlement money - programs.**

16 (1.7) Except as otherwise provided in subsections (1.3), (1.8), and (5) of
17 this section, and except that disputed payments received by the state in the
18 2015-16 fiscal year or in any year thereafter are excluded from the
19 calculation of allocations under this subsection (1.7), for the 2016-17
20 fiscal year and for each fiscal year thereafter, the following programs,
21 services, and funds shall receive the following specified percentages of
22 the total amount of settlement ~~moneys~~ MONEY received by the state in the
23 preceding fiscal year:

24 (m) ~~(f) Except as otherwise provided in subsection (1.7)(m)(f) of~~
25 ~~this section,~~ The state dental loan repayment ~~program~~ AND ORAL HEALTH
26 PROGRAMS FUND created in article 23 of title 25 shall receive one percent
27 of the settlement ~~moneys~~ MONEY; AND

1 ~~(H) For the 2020-21 fiscal year, the state dental loan repayment~~
2 ~~program shall receive one percent of the settlement moneys less one~~
3 ~~hundred sixty thousand seven hundred seventeen dollars; and~~

4 **SECTION 3.** In Colorado Revised Statutes, 25-23-104, **amend**
5 (1) and (2) as follows:

6 **25-23-104. State dental loan repayment and oral health**
7 **programs fund - acceptance of grants and donations.** (1) (a) THE
8 STATE DENTAL LOAN REPAYMENT AND ORAL HEALTH PROGRAMS FUND,
9 REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE
10 STATE TREASURY.

11 (b) ~~The state dental loan repayment program shall be funded by~~
12 ~~moneys~~ FUND CONSISTS OF MONEY appropriated by the general assembly
13 ~~specifically for said program, moneys~~ TO THE FUND, MONEY transferred
14 ~~thereto~~ TO THE FUND pursuant to subsection (2) of this section, and any
15 matching funds or contributions received from ~~any~~ public or private
16 sources. ~~Such funds~~ MATCHING FUNDS OR CONTRIBUTIONS RECEIVED
17 FROM PUBLIC OR PRIVATE SOURCES shall be transmitted to the treasurer,
18 who shall credit the ~~same~~ MONEY to the ~~state dental loan repayment~~ fund.
19 ~~which fund is hereby created.~~

20 (c) At the end of any fiscal year, all unexpended and
21 unencumbered ~~moneys~~ MONEY in the fund ~~shall remain therein~~ REMAINS
22 IN THE FUND and shall not be credited or transferred to the general fund
23 or any other fund. ~~Moneys in the fund shall be used~~

24 (d) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
25 ASSEMBLY, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT MAY
26 EXPEND MONEY FROM THE FUND to provide loan repayment assistance to
27 eligible dental professionals ~~Moneys~~ AND TO FUND ORAL HEALTH

1 PROGRAMS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND
2 ENVIRONMENT. MONEY in the fund may also be used to pay for the
3 administrative costs of the department of public health and environment
4 to implement the loan repayment program AND ORAL HEALTH PROGRAMS
5 ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND
6 ENVIRONMENT; except that administrative costs shall not exceed ten
7 percent OF THE MONEY IN THE FUND.

8 (2) (a) ~~Except as otherwise provided in subsection (2)(b) of this~~
9 ~~section,~~ Pursuant to section 24-75-1104.5 ~~(1.7)(m)(I)~~ (1.7)(m), for fiscal
10 year 2016-17 and for each fiscal year thereafter so long as the state
11 receives money pursuant to the master settlement agreement, the state
12 treasurer shall transfer to the state dental loan repayment AND ORAL
13 HEALTH PROGRAMS fund one percent of the money received by the state
14 pursuant to the master settlement agreement for the preceding fiscal year.

15 ~~(b) Pursuant to section 24-75-1104.5 (1.7)(m)(II), for fiscal year~~
16 ~~2020-21, the state treasurer shall transfer to the state dental loan~~
17 ~~repayment fund one percent of the money received by the state pursuant~~
18 ~~to the master settlement agreement less one hundred sixty thousand seven~~
19 ~~hundred seventeen dollars.~~

20 ~~(c)~~ (b) The state treasurer shall transfer TO THE FUND the amount
21 specified in subsection (2)(a) ~~or (2)(b)~~ of this section from money
22 credited to the tobacco litigation settlement cash fund created in section
23 24-22-115. Money in the fund is subject to annual appropriation by the
24 general assembly for the purposes of this article 23 AND ORAL HEALTH
25 PROGRAMS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND
26 ENVIRONMENT. The amount appropriated pursuant to this subsection (2)
27 is in addition to and not in replacement of any general fund money

1 appropriated to the ~~state dental loan repayment~~ fund.

2 **SECTION 4.** In Colorado Revised Statutes, **add 25-23-106** as
3 follows:

4 **25-23-106. Reporting - repeal.** (1) ON OR BEFORE OCTOBER 1,
5 2023, AND ON OR BEFORE EACH OCTOBER 1 THEREAFTER THROUGH
6 OCTOBER 1, 2028, THE DEPARTMENT OF PUBLIC HEALTH AND
7 ENVIRONMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE FOR THE
8 PRECEDING STATE FISCAL YEAR:

9 (a) (I) THE MONEY ALLOCATED TO THE STATE DENTAL LOAN
10 REPAYMENT PROGRAM;

11 (II) THE NUMBER OF QUALIFIED DENTAL PROFESSIONALS WHO
12 APPLIED TO THE DENTAL LOAN REPAYMENT PROGRAM; AND

13 (III) THE NUMBER OF QUALIFIED DENTAL PROFESSIONALS WHO
14 RECEIVED A CONTRACT FOR LOAN REPAYMENT ASSISTANCE; AND

15 (b) THE PROPORTION OF MONEY APPROPRIATED FROM THE STATE
16 DENTAL LOAN REPAYMENT AND ORAL HEALTH PROGRAMS FUND FOR ORAL
17 HEALTH PROGRAMS, REPORTED BY, AS APPLICABLE:

18 (I) USE;

19 (II) COUNTY;

20 (III) PATIENTS SERVED, INCLUDING PAYER SOURCE; AND

21 (IV) THE PROCESS FOR ALLOCATING FUNDING.

22 (2) THE OCTOBER 1, 2023, REPORT MUST ALSO INCLUDE THE
23 INFORMATION REQUIRED IN SUBSECTION (1) OF THIS SECTION FOR THE
24 2021-22 STATE FISCAL YEAR.

25 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2029.

26 **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.