

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

**REVISED**

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

LLS NO. 22-0893.01 Brita Darling x2241

**HOUSE BILL 22-1292**

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**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.**

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**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.*

SENATE  
2nd Reading Unamended  
April 19, 2022

HOUSE  
3rd Reading Unamended  
March 25, 2022

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.

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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.