

## CHAPTER 186

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**HEALTH AND ENVIRONMENT**

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**HOUSE BILL 22-1292**

BY REPRESENTATIVE(S) Lindsay, Amabile, Bacon, Benavidez, Bennett, Bird, Boesenecker, Caraveo, Cutter, Duran, Esgar, Exum, Gonzales-Gutierrez, Gray, Hooton, Jodeh, Kennedy, Kipp, Lontine, McCluskie, McCormick, Michaelson Jenet, Mullica, Ortiz, Sirota, Snyder, Tipper, Titone, Valdez D., Weissman, Will, Woodrow, Garnett;  
also SENATOR(S) Jaquez Lewis, Buckner, Ginal, Hansen, Hinrichsen, Lee, Moreno, Pettersen, Story, Winter, Zenzinger.

**AN ACT**

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

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

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

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

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

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

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

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

(e) **MANY DENTAL HEALTH PROFESSIONALS, PARTICULARLY DENTISTS, GRADUATE**

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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.*

WITH LARGE EDUCATION LOANS NEEDED TO FINANCE THEIR PROFESSIONAL EDUCATION;

(f) FURTHER, DENTAL CARE IS PROVIDED PREDOMINANTLY THROUGH INDIVIDUAL AND SMALL GROUP PRACTICES, WHICH CAN LIMIT THE OPPORTUNITY FOR DENTAL HEALTH PROFESSIONALS TO PROVIDE A SUBSTANTIAL VOLUME OF ORAL HEALTH SERVICES AT REDUCED COST WHILE STILL MAINTAINING REVENUES NECESSARY TO SUPPORT THE FIXED COSTS OF OPERATING A DENTAL PRACTICE; AND

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

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

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

**24-75-1104.5. Use of settlement money - programs.** (1.7) Except as otherwise provided in subsections (1.3), (1.8), and (5) of this section, and except that disputed payments received by the state in the 2015-16 fiscal year or in any year thereafter are excluded from the calculation of allocations under this subsection (1.7), for the 2016-17 fiscal year and for each fiscal year thereafter, the following programs, services, and funds shall receive the following specified percentages of the total amount of settlement ~~moneys~~ MONEY received by the state in the preceding fiscal year:

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

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

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

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

(b) ~~The state dental loan repayment program shall be funded by moneys~~ FUND CONSISTS OF MONEY appropriated by the general assembly ~~specifically for said~~

~~program, moneys TO THE FUND, MONEY transferred thereto TO THE FUND pursuant to subsection (2) of this section, and any matching funds or contributions received from any public or private sources. Such funds MATCHING FUNDS OR CONTRIBUTIONS RECEIVED FROM PUBLIC OR PRIVATE SOURCES shall be transmitted to the treasurer, who shall credit the same MONEY to the state dental loan repayment fund, which fund is hereby created.~~

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

(d) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT MAY EXPEND MONEY FROM THE FUND to provide loan repayment assistance to eligible dental professionals ~~Moneys~~ AND TO FUND ORAL HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. MONEY in the fund may also be used to pay for the administrative costs of the department of public health and environment to implement the loan repayment program AND ORAL HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT; except that administrative costs shall not exceed ten percent OF THE MONEY IN THE FUND.

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

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

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

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

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

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

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

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

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

(I) USE;

(II) COUNTY;

(III) PATIENTS SERVED, INCLUDING PAYER SOURCE; AND

(IV) THE PROCESS FOR ALLOCATING FUNDING.

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

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

**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: May 18, 2022