

Department of Public Health & Environment

2022 Legislative Agenda



1 | Advancing Waste Diversion Through Market Development in Colorado

This proposal carries out recommendations made in the research study and stakeholder process conducted after the passage of SB20-055. There are few end-markets for recovered materials in Colorado and 88.5% of recycled materials are sent out of state for remanufacturing into new products. This proposal would create a Circular Economy Development Center to help establish local end-markets by attracting new businesses to Colorado and by providing technical assistance to existing businesses. The proposal also removes language in the Front Range Waste Diversion statute that made it difficult for local governments and small businesses to apply for grants. The proposal would help Colorado meet its front-range-waste-diversion goal of 51% by 2036 and its statewide goal of 46% by 2036.

2 | Emergency Medical Service Accountability, Equity, and Standardization

This proposal would modernize Colorado's Emergency Medical Services (EMS) system by authorizing the department to provide centralized and coordinated licensing and oversight of ground ambulance agencies. Colorado is the only state in the nation without state oversight of ground ambulance agencies. A statewide model to reduce fragmentation and duplication and align Colorado with national standards would improve consumer protection and safety. The proposal sets the stage for a multi-year process of developing a shared accountability model based on statewide standards and oversight of ground ambulance licensing (similar to the department's current air ambulance framework), coupled with local control of the ambulance-agency permitting.

3 | Extension of Medical Marijuana Research Grants and Studies

This proposal would extend funding for medical marijuana research studies delayed when the COVID-19 pandemic forced the closure of the University of Colorado Anschutz Medical Campus. This research is studying critical topics such as the use of marijuana to treat symptoms associated with autism spectrum disorder and reducing opioid use in patients with chronic pain. The proposal would roll over unused funds and extend spending authority through FY24.

4 | Federal Bureau of Investigation Criminal History Record Revision

This proposal would revise criminal background check statutes governing licensed health care facilities and EMS providers in order to comply with Federal Bureau of Investigation (FBI) policy. Federal Public Law 92-544 authorizes the FBI to exchange nationwide criminal history records with state officials for licensing purposes. However, the authorization must be made in state statute and must comply with FBI background check requirements; otherwise, the FBI will not disseminate records. Following the passage of Colorado House Bill 19-1237, which created a single state license for behavioral health entities, Colorado sought to rely on the bill's provision allowing for name-based background checks when a fingerprint could not be obtained for the behavioral health entity applicant. However, the use of name-based background checks violates the requirements under Public Law 92-544. Therefore, to access any nationwide criminal history records, the reference to name-based background checks must be removed.

5 | Flexibility in Oral Health Funding

This proposal would expand the allowed uses of Master Settlement Agreement funding for the State Dental Loan Repayment Program to include funding for the Oral Health Community Grants Program. This program supports a broader range of evidence-based activities, such as school sealant programs and "Cavity Free at Three". This flexibility in the department's oral health program will fund initiatives with the most need and promote expanded public health interventions that reduce racial, economic, and geographic disease disparities, especially in children.

6 | Safe Haven Statute Revision

This proposal would correct an unintended technical defect in Senate Bill 18-050 governing safe havens, or places where parents can surrender infants less than 72 hours old and avoid prosecution for child abuse or neglect. The 2018 legislation limits eligible safe havens to certain facilities licensed by the department at the time of the law's passage. The following year, House Bill 19-1010 created a new category of licensed facility: free-standing emergency departments. Because free-standing emergency departments were not licensed when SB18-050 passed, they are not eligible safe havens, contradicting the intent and title of SB18-050.

7 | Statewide System of Advance Medical Directives Revision

This proposal implements recommendations from the advance directives registry pilot project and revises the advance directives registry statute in order to increase patient ease-of-use and autonomy over personal healthcare data. The proposal would remove the requirement for a patient to be in the presence of a medical provider and to sign an electronic affidavit when uploading advance directives documents. This would eliminate cost and access barriers and promote the intent of the 2017 Colorado Patient Autonomy Act that advance care planning be simple.

Budget Requests

R-01 Air Quality Transformation: \$52.1M

\$24.8M GF FY23, \$27.4M GF FY24. Provides a fundamental, once-in-a-generation shift in the state's approach to improving air quality for Colorado residents and visitors.

R-02 Colorado Dairy Protection: \$800k

\$400k GF FY23, \$400k GF FY24. Allows the state to perform high-priority dairy producer inspections to ensure Colorado's \$4.6 billion dairy industry conforms to national food safety requirements for interstate commerce.

R-03 Colorado General Licensure Health Facility Protection: \$1M

\$500k GF in FY23, \$500k GF in FY24. Allows the state to inspect and assist health facilities such as nursing homes and hospitals to ensure facility patients and residents receive proper care and treatment.

R-04 Emergency Medical and Trauma Services Support: \$2M

\$2M GF in FY23. Provides grants to EMS providers, hospitals, and other health care facilities for purposes such as the purchase of ambulances and to subsidize costs for EMS and emergency department hospital staff.

R-05 Administrative Division Policy Staff: \$715k

\$357,580 RF in FY23, \$357,580 RF in FY24. Allows the department to facilitate effective policy-related decision-making, coordination with elected officials, and stakeholder engagement.

R-06 Enterprise Phone System: \$617k

\$222,125 RF in FY23, \$395,250 RF in FY24. Allows the department to transition to a Managed IP Communications telephone system in order to right-size and replace aging telephonic infrastructure.

R-07 Provider Rate Increase: \$185k

\$73,762 GF and \$18,554 Marijuana Tax Cash Funds in FY23, \$73,762 GF and \$18,554 Marijuana Tax Cash Funds in FY24. Supports a statewide 1.0% provider rate increase to partially offset inflationary pressures.

For more information:

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