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Fiscal Note

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Prime Sponsors:

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Bill Status: Bill Request
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Bill Topic: ADDRESSING YOUTH EXPOSURE TO HIV & AIDS

- Summary of Fiscal Impact:
- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- School District
- Statutory Public Entity

The bill makes changes to content standards in comprehensive health and human sexuality instruction, creates a program to contract with clinics for low or no-cost HIV/AIDS testing and treatment, and requires the creation of a youth advisory board and educational campaign related to HIV/AIDS awareness. The bill increases state expenditures, and may impact school district revenue and expenditures, beginning in FY 2023-24.

Appropriation Summary: For FY 2023-24, the bill requires an appropriation of \$2.1 million to the Department of Public Health and Environment.

Fiscal Note Status: The fiscal note reflects the draft bill requested by the Colorado Youth Advisory Council Committee.

Table 1
State Fiscal Impacts Under Bill 4

Table with 3 columns: Category, Budget Year FY 2023-24, and Out Year FY 2024-25. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

HIV testing and prophylaxis. The bill requires the Department of Public Health and Environment (CDPHE) to contract with family planning clinics and school-based clinics to provide HIV testing, pre-exposure (PrEP) and post-exposure (PEP) prophylaxis medications and related services to youth, training for staff, and technical assistance for clinics. The CDPHE must prioritize school-based clinics and clinics that serve underserved and high-risk communities, and those that are under-resourced.

The CDPHE must provide funding to contracted clinics to ensure that services are provided at low or no-cost. Clinics may not require youth to provide proof of health insurance, and must report to the CDPHE on an annual basis. The grant program is repealed June 30, 2032.

Youth advisory board. By January 1, 2024, the Preventative Services Division in CDPHE must establish a Youth Leadership Advisory Board for HIV/AIDS prevention. The bill specifies the composition of the board, and requires that the board that create materials for an educational campaign.

Human sexuality instruction. Current law does not require that human sexuality instruction be provided in Colorado schools; however, if a local education provider offers it, the instruction must meet certain content requirements. The bill adds that content must include methods to prevent the transmission of HIV/AIDS, including the effectiveness of PrEP and PEP medications, and information about the resources available to students who may have been exposed to HIV/AIDS.

Comprehensive health education program. Under current law, the Colorado Department of Education (CDE) must develop health education guidelines for local education providers that choose to offer comprehensive health education. The bill requires that the guidelines for grades 7 to 12 include information on the risks of contracting HIV/AIDS through drug use; effectiveness of PrEP and PEP for the treatment of HIV/AIDS; and resources, including medications, available to students who may have been exposed to HIV/AIDS.

Background

The Public Health Intervention Program (PHIP) in the CDPHE provides funding for pre-exposure prophylaxis medications to Colorado residents who have income of less than 500 percent of the federal poverty level. The program is funded with Tobacco Master Settlement Agreement funds. There are currently 45 family planning and school based health clinics participating in the program.

Assumptions

The fiscal note assumes that CDPHE will implement the expanded access to PrEP and PEP, including grants to cover the costs, training, and technical support for providers, by expanding the PHIP program to include the youth program specified in the bill. Specifically, the fiscal note assumes the following:

- the 36 school clinics and 53 family planning clinics that are not currently participating in PHIP will enroll in the program;

- CDPHE will provide training and technical assistance to the family planning and school health clinics participating in the expanded program;
- 200 new youth clients will receive PrEP medication and services, at a cost of \$8,080 per client; and
- 10 new youth clients will receive PEP medication and services, at a cost of \$5,050 per client.

Testing costs are covered under the CDPHE’s current contracts with school-based health centers and family planning clinics. The fiscal note assumes that these contracts provide sufficient testing capabilities for the expanded population in the bill.

State Expenditures

The bill increases state expenditures in CDPHE by \$2.2 million in FY 2023-24 and FY 2024-25 from the General Fund. Expenditures are shown in Table 2 and detailed below. Workload will also increase for the CDE.

**Table 2
Expenditures Under Bill 4**

	FY 2023-24	FY 2024-25
Department of Public Health and Environment		
Personal Services	\$341,696	\$372,759
Operating Expenses	\$6,885	\$6,885
Capital Outlay Costs	\$33,350	-
PrEP and PEP Medication and Services	\$1,750,500	\$1,750,500
Translation	\$10,000	\$15,000
Staff Travel	\$4,450	\$4,450
Advisory Group Meeting Costs	\$1,440	\$2,880
Centrally Appropriated Costs ¹	\$82,697	\$91,115
Total Cost	\$2,231,018	\$2,243,589
Total FTE	4.6 FTE	5.1 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

Colorado Department of Public Health and Environment. CDPHE requires 4.6 FTE in FY 2023-24, and 5.1 FTE beginning in FY 2024-25, to implement the expanded youth PHIP program. Staffing includes 3.0 FTE to provide training and technical assistance, 2.0 FTE to implement the expanded program for youth, and 0.1 FTE to modify and maintain current contracts for testing. Standard operating and capital outlay costs are included, and first year costs are prorated for the General Fund pay date shift.

- **PrEP and PEP medication and services.** Beginning in FY 2023-24, CDPHE requires \$1.8 million to provide PrEP and PEP medication and services to youth at low or no-cost. Of this amount, \$1.7 million is for PrEP medication and services for 200 youth per year, and \$100,500 is for PEP medication and services for 10 youth per year. Costs for medications and services are based on current costs through the PHIP program, and include contractor billing and administration.
- **Translation.** CDPHE requires \$10,000 in FY 2023-24 and \$15,000 in subsequent years for translation services to reach underserved communities. Translation is required for training, clinic outreach, and educational materials developed by the advisory group, in alignment with CDPHE's current policies.
- **Staff travel.** New staff that provide training to clinics will require mileage and per diem costs to reach clinics.
- **Advisory board meeting costs.** CDPHE will incur costs for students to participate in the new advisory board. Currently, CDPHE provides compensation of \$60 per meeting for each student on an advisory board. The fiscal note assumes 12 students on the board, and that there will be two meetings held in FY 2023-24 and 4 meetings held in FY 2024-25.

Colorado Department of Education. CDE will incur workload to modify the comprehensive health and human sexuality education standards. The fiscal note assumes that this will be incorporated into the next regularly scheduled review of standards, and that no change in appropriations is required.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts in Table 1, which will decrease the amount of General Fund available for other purposes.

School District

The bill increases workload for local education providers to make any adjustments to human health and sexuality instruction. Additionally, school-based health clinics will have expenditures to provide additional treatment and testing and will receive revenue from the state to cover those costs.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State Appropriations

In FY 2023-24, the bill requires a General Fund appropriation of \$2,148,321 to the Colorado Department of Public Health and Environment, and 4.6 FTE.

State and Local Government Contacts

Education Public Health and Environment