

CHAPTER 165

HEALTH AND ENVIRONMENT

HOUSE BILL 96-1125

BY REPRESENTATIVES Kerns and Chlouber;
also SENATORS Norton, Hernandez, Hopper, Johnson, Pascoe, L. Powers, and R. Powers.

AN ACT

CONCERNING THE QUALIFICATIONS FOR EXECUTIVE LEADERSHIP IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

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

SECTION 1. 25-1-105, Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

25-1-105. Executive director - chief medical officer - qualifications - salary - office. (1) The executive director of the department shall:

(a) Have a degree of doctor of medicine OR DOCTOR OF OSTEOPATHY, ~~and~~ be licensed to practice medicine in the state of Colorado, ~~or~~ AND have at least ONE OF THE FOLLOWING QUALIFICATIONS:

(I) One year of graduate study in a school of public health; ~~or have~~

(II) Not less than two years' experience in an administrative capacity in a health care organization; ~~or have~~

(III) Four years of said experience when one year of graduate study in a school of public health has not been completed; ~~and be licensed to practice medicine in the state of Colorado.~~ OR

(b) HAVE, AT A MINIMUM, EXPERIENCE OR EDUCATION IN PUBLIC ADMINISTRATION AND PUBLIC OR ENVIRONMENTAL HEALTH.

(2) (a) IF THE GOVERNOR APPOINTS AN EXECUTIVE DIRECTOR WHO DOES NOT HAVE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE QUALIFICATIONS SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL, PURSUANT TO THE PROVISIONS OF SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION, UPON CONSULTATION WITH THE GOVERNOR, AND WITH THE CONSENT OF A MAJORITY OF THE MEMBERS OF THE SENATE, APPOINT A CHIEF MEDICAL OFFICER. THE CHIEF MEDICAL OFFICER SHALL HAVE THE QUALIFICATIONS SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION AND SHALL SERVE AT THE PLEASURE OF THE GOVERNOR. THE EXECUTIVE DIRECTOR SHALL INITIALLY APPOINT THE CHIEF MEDICAL OFFICER NO LATER THAN THREE MONTHS AFTER THE EXECUTIVE DIRECTOR'S APPOINTMENT HAS BEEN CONFIRMED BY THE SENATE.

(b) THE CHIEF MEDICAL OFFICER SHALL PROVIDE INDEPENDENT MEDICAL JUDGMENT, GUIDANCE, AND ADVICE TO THE GOVERNOR AND TO THE EXECUTIVE DIRECTOR REGARDING MEDICAL AND PUBLIC HEALTH ISSUES IN ALL AREAS IDENTIFIED IN SECTION 25-1-107.

(c) THE CHIEF MEDICAL OFFICER SHALL BE AFFORDED DIRECT ACCESS TO THE GOVERNOR AND THE GOVERNOR'S STAFF.

(3) The executive director shall receive such salary as may be fixed by the board subject to the state constitution and state laws and within the limits of funds made available to the department by appropriation of the general assembly or otherwise. ~~He~~ THE EXECUTIVE DIRECTOR shall be allowed traveling and subsistence expenses actually and necessarily incurred in the performance of ~~his~~ THE EXECUTIVE DIRECTOR'S official duties when absent from his OR HER place of residence. ~~He~~ THE EXECUTIVE DIRECTOR shall be custodian of all property and records of the department.

SECTION 2. Effective date. This act shall take effect July 1, 1996.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 23, 1996