

CHAPTER 216

HEALTH AND ENVIRONMENT

HOUSE BILL 02-1125

BY REPRESENTATIVE(S) Saliman, Boyd, Fairbank, Groff, Hoppe, Mace, Marshall, Plant, Romanoff, Sanchez, Stafford, Tochtrop, and Williams S.;

also SENATOR(S) Gordon, Epps, Hanna, Hernandez, Pascoe, and Phillips.

AN ACT

CONCERNING THE CREATION OF A COLORADO STROKE ADVISORY BOARD, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. 24-75-1104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-75-1104. Use of settlement moneys - programs. (1.5) FOR THE FISCAL YEAR 2001-2002, THE STROKE PREVENTION AND TREATMENT CASH FUND SHALL RECEIVE AN APPROPRIATION AS SPECIFIED IN SECTION 25-1-108.5 (5), C.R.S.

SECTION 2. 25-1-108.5 (5), Colorado Revised Statutes, is amended to read:

25-1-108.5. Additional powers and duties of the state board of health and the department - programs that receive tobacco settlement moneys - monitoring - annual report. (5) The costs incurred by the department in implementing the requirements of this section shall be paid proportionately from the amounts annually appropriated to each tobacco settlement program; except that the amount of said costs shall not exceed four-tenths of one percent of the total amount of moneys received pursuant to the master settlement agreement in any fiscal year. FOR THE FISCAL YEAR 2001-2002, SEVENTY-FIVE THOUSAND NINE HUNDRED SEVENTY-EIGHT DOLLARS FROM THE MONEYS PAID TO THE DEPARTMENT FROM THE TOBACCO SETTLEMENT PROGRAMS PURSUANT TO THIS SECTION SHALL BE APPROPRIATED TO THE STROKE PREVENTION AND TREATMENT CASH FUND CREATED IN SECTION 25-32-105 FOR ALLOCATION TO THE STROKE ADVISORY BOARD CREATED IN SECTION 25-32-104 TO COVER THE COSTS OF SUCH BOARD'S DUTIES PURSUANT TO SUCH SECTION.

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

SECTION 3. Title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 32
Colorado Stroke Advisory Board

25-32-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO STROKE ADVISORY BOARD ACT".

25-32-102. Legislative declaration. THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT STROKES ARE A LEADING CAUSE OF DEATH IN COLORADO AND THAT CURRENTLY AVAILABLE TREATMENTS MAY REDUCE THE NUMBER OF DEATHS AND DISABILITIES CAUSED BY STROKES. THE GENERAL ASSEMBLY FURTHER FINDS THAT ESTABLISHMENT OF A STROKE ADVISORY BOARD WILL ENSURE THAT STATE-OF-THE-ART INFORMATION ON STROKE EDUCATION, PREVENTION, AND POTENTIAL TREATMENT IS AVAILABLE TO HEALTH CARE PROVIDERS AND PATIENTS. THE ADVISORY BOARD IS INTENDED TO SERVE AS A CONSENSUS GROUP DESIGNED TO COORDINATE EFFORTS IN STROKE TREATMENT AND PREVENTION, INCLUDING BRINGING ADDITIONAL MONEYS TO THE STATE TO FUND IMPROVEMENTS.

25-32-103. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADVISORY BOARD" MEANS THE STROKE ADVISORY BOARD CREATED PURSUANT TO SECTION 25-32-104.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CREATED IN SECTION 25-1-102.

25-32-104. Stroke advisory board. (1) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL APPOINT A STROKE ADVISORY BOARD TO EVALUATE POTENTIAL STRATEGIES FOR STROKE PREVENTION AND TREATMENT AND DEVELOP A STATEWIDE NEEDS ASSESSMENT OUTLINING RELEVANT RESOURCES.

(2) MEMBERS APPOINTED TO THE ADVISORY BOARD SHALL INCLUDE:

(a) FIVE PHYSICIANS ACTIVELY INVOLVED IN STROKE CARE, WITH ONE FROM EACH OF THE FOLLOWING FIELDS:

(I) PRIMARY CARE;

(II) NEUROLOGY;

(III) NEURORADIOLOGY;

(IV) NEUROSURGERY; AND

(V) EMERGENCY CARE;

(b) ONE REGISTERED PROFESSIONAL NURSE ACTIVELY INVOLVED IN STROKE CARE;

- (c) ONE HOSPITAL ADMINISTRATOR WHO REPRESENTS AN URBAN HOSPITAL;
- (d) ONE HOSPITAL ADMINISTRATOR WHO REPRESENTS A SMALL RURAL HOSPITAL;
- (e) ONE REPRESENTATIVE FROM THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD;
- (f) ONE REPRESENTATIVE FROM THE PUBLIC HEALTH FIELD WHO IS ACTIVELY INVOLVED IN PUBLIC HEALTH EDUCATION REGARDING STROKES;
- (g) ONE REPRESENTATIVE FROM A STROKE REHABILITATION FACILITY;
- (h) ONE STROKE SURVIVOR OR CAREGIVER;
- (i) ONE REPRESENTATIVE FROM AN ORGANIZATION REPRESENTING STROKE VICTIMS; AND
- (j) ONE PHYSICAL THERAPIST OR OCCUPATIONAL THERAPIST ACTIVELY INVOLVED IN STROKE CARE.

(3) DUTIES OF THE ADVISORY BOARD MAY INCLUDE, BUT SHALL NOT BE LIMITED TO:

- (a) EVALUATION OF CURRENT AVAILABLE STROKE TREATMENTS AND THE DEVELOPMENT OF RECOMMENDATIONS FOR COLORADO, BASED ON MEDICAL EVIDENCE, TO IMPROVE STROKE PREVENTION AND TREATMENT;
- (b) EVALUATION OF POTENTIAL IMPLEMENTATION STRATEGIES FOR STROKE THERAPIES, INCLUDING A STROKE CENTER SYSTEM;
- (c) COMPLETION OF A STATEWIDE COMPREHENSIVE STROKE PREVENTION AND TREATMENT NEEDS ASSESSMENT;
- (d) DETERMINATION OF THE IMPACT THAT DELAYED OR INAPPROPRIATE TREATMENT HAS ON THE QUALITY OF PATIENTS' LIVES AND THE ASSOCIATED FINANCIAL COSTS TO SUCH PATIENTS AND THE STATE; AND
- (e) STUDYING THE HEALTH AND ECONOMIC BENEFITS OF EARLY STROKE TREATMENT.

(4) THE ADVISORY BOARD SHALL REPORT ITS FINDINGS TO THE JOINT BUDGET COMMITTEE, THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND TO THE HEALTH, ENVIRONMENT, CHILDREN, AND FAMILIES COMMITTEE OF THE SENATE ON OR BEFORE NOVEMBER 1, 2003.

25-32-105. Stroke prevention and treatment cash fund - creation. THERE IS HEREBY CREATED IN THE STATE TREASURY THE STROKE PREVENTION AND TREATMENT CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST OF ANY MONEYS CREDITED THERETO PURSUANT TO GIFTS, GRANTS, AND DONATIONS FROM ANY SOURCE; ANY MONEYS FROM FEDERAL FINANCIAL PARTICIPATION; AND ANY MONEYS APPROPRIATED THERETO BY THE GENERAL ASSEMBLY. NO MONEYS SHALL

BE APPROPRIATED FROM THE GENERAL FUND FOR PAYMENT OF ANY EXPENSES INCURRED UNDER THIS ARTICLE. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST AND INCOME EARNED ON THE MONEYS IN THE FUND SHALL REMAIN IN THE FUND FOR THE PURPOSES SET FORTH IN THIS ARTICLE. NO MONEYS CREDITED TO THE FUND SHALL BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR.

25-32-106. Additional powers and duties of the department. (1) THE DEPARTMENT SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

- (a) TO ADOPT RULES AS NECESSARY FOR IMPLEMENTATION OF THIS ARTICLE;
- (b) TO ACCEPT GIFTS, GRANTS, AND DONATIONS FROM ANY SOURCE AND TO DEPOSIT SAME INTO THE STROKE PREVENTION AND TREATMENT CASH FUND; AND
- (c) TO ACCEPT AND EXPEND MONEYS IN THE STROKE PREVENTION AND TREATMENT CASH FUND FOR THE PURPOSES OF THIS ARTICLE.

25-32-107. Repeal. THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2004.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the stroke center network cash fund created in section 25-32-105, Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2002, the sum of thirty-nine thousand eight hundred fifty-seven dollars (\$39,857) and 0.5 FTE, or so much thereof as may be necessary, for the implementation of this act.

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, and safety.

Approved: May 30, 2002