

CHAPTER 321

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 06-1396

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also SENATOR(S) Tapia, Boyd, Sandoval, Bacon, Fitz-Gerald, Groff, Hagedorn, Isgar, Keller, Shaffer, Tochtrop, Tupa, Veiga, Williams, and Windels.

AN ACT

CONCERNING THE FUNDING OF SCHOOL-BASED HEALTH CENTERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Article 20.5 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 5
SCHOOL-BASED HEALTH CENTER
GRANT PROGRAM**

25-20.5-501. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) ACCESS TO SCHOOL-BASED PRIMARY HEALTH CARE FOR CHILDREN AND ADOLESCENTS HAS BEEN SHOWN TO INCREASE THE USE OF PRIMARY CARE, REDUCE THE USE OF EMERGENCY ROOMS, AND RESULT IN FEWER HOSPITALIZATIONS;

(b) HIGH-RISK STUDENTS WHO USE SCHOOL-BASED HEALTH CENTERS ARE MORE LIKELY TO STAY IN SCHOOL AND BE AVAILABLE FOR INSTRUCTION;

(c) SCHOOL-BASED HEALTH CENTERS ARE EFFECTIVE AT MANAGING HEALTH CONDITIONS, SUCH AS ASTHMA;

(d) SCHOOL-BASED HEALTH CENTERS SERVE PRIMARILY LOW-INCOME SCHOOLS.

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 MAJORITY OF STUDENTS WHO ATTEND SCHOOLS WITH ON-SITE HEALTH CENTERS ARE FROM LOW-INCOME FAMILIES, ARE MEDICALLY UNINSURED OR UNDERINSURED, AND QUALIFY FOR FREE OR REDUCED-COST SCHOOL LUNCH.

25-20.5-502. Definitions. AS USED IN THIS PART 5, UNLESS THE CONTEXT OTHERWISE REQUIRES, "SCHOOL-BASED HEALTH CENTER" MEANS A CLINIC ESTABLISHED AND OPERATED WITHIN A PUBLIC SCHOOL BUILDING, INCLUDING CHARTER SCHOOLS AND STATE SANCTIONED GED PROGRAMS ASSOCIATED WITH A SCHOOL DISTRICT, OR ON PUBLIC SCHOOL PROPERTY BY THE SCHOOL DISTRICT. SCHOOL-BASED HEALTH CENTERS ARE OPERATED BY SCHOOL DISTRICTS IN COOPERATION WITH HOSPITALS, PUBLIC OR PRIVATE HEALTH CARE ORGANIZATIONS, LICENSED MEDICAL PROVIDERS, PUBLIC HEALTH NURSES, COMMUNITY HEALTH CENTERS, AND COMMUNITY MENTAL HEALTH CENTERS. THE TERM "SCHOOL-BASED HEALTH CENTER" INCLUDES CLINICS OR FACILITIES AUTHORIZED TO PROVIDE CLINIC SERVICES UNDER SECTION 26-4-513, C.R.S., OR AUTHORIZED TO APPLY FOR AND RECEIVE MEDICAL ASSISTANCE PAYMENTS UNDER A CONTRACT ENTERED INTO PURSUANT TO SECTION 26-4-531, C.R.S.

25-20.5-503. School-based health center grant program - creation - funding - grants. (1) THERE IS HEREBY CREATED, IN THE PREVENTION SERVICES DIVISION OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE SCHOOL-BASED HEALTH CENTER GRANT PROGRAM, REFERRED TO IN THIS PART 5 AS THE "GRANT PROGRAM", FOR THE PURPOSE OF ASSISTING THE ESTABLISHMENT, EXPANSION, AND ONGOING OPERATIONS OF SCHOOL-BASED HEALTH CENTERS IN COLORADO. THE GRANT PROGRAM SHALL BE FUNDED BY MONEYS ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY SPECIFICALLY FOR SAID PROGRAM.

(2) OPERATORS OF SCHOOL-BASED HEALTH CENTERS MAY APPLY FOR GRANTS FOR THE BENEFIT OF SCHOOL-BASED HEALTH CENTERS. THE GRANT PROGRAM SHALL PROVIDE GRANTS FOR SCHOOL-BASED HEALTH CENTERS SELECTED BY THE DIVISION. THE DIVISION, IN CONSULTATION WITH SCHOOL-BASED HEALTH CENTERS, SHALL DEVELOP CRITERIA UNDER WHICH THE GRANTS ARE DISTRIBUTED AND EVALUATED. IN DEVELOPING THE CRITERIA FOR GRANTS, THE DIVISION SHALL GIVE PRIORITY TO CENTERS THAT SERVE A DISPROPORTIONATE NUMBER OF UNINSURED CHILDREN OR A LOW-INCOME POPULATION OR BOTH AND MAY AWARD GRANTS TO ESTABLISH NEW SCHOOL-BASED HEALTH CENTERS, TO EXPAND PRIMARY HEALTH SERVICES, BEHAVIORAL HEALTH SERVICES, OR ORAL HEALTH SERVICES OFFERED BY EXISTING SCHOOL-BASED HEALTH CENTERS, TO EXPAND ENROLLMENT IN THE CHILDREN'S BASIC HEALTH PLAN, OR TO PROVIDE SUPPORT FOR ONGOING OPERATIONS OF SCHOOL-BASED HEALTH CENTERS. NONE OF THE GRANTS SHALL BE AWARDED TO PROVIDE ABORTION SERVICES IN VIOLATION OF SECTION 50 OF ARTICLE V OF THE STATE CONSTITUTION.

(3) THE DIVISION SHALL SPECIFY AND PROVIDE TO POTENTIAL GRANT RECIPIENTS THE FOLLOWING INFORMATION:

(a) PROCEDURES AND TIMELINES BY WHICH AN OPERATOR OF A SCHOOL-BASED HEALTH CENTER MAY APPLY FOR A GRANT;

(b) GRANT APPLICATION CONTENTS;

(c) CRITERIA FOR SELECTION, REPORTING, EVALUATION, AND OTHER CRITERIA AS NECESSARY;

(d) CRITERIA FOR DETERMINING THE AMOUNT AND DURATION OF THE GRANTS;

(e) REPORTING REQUIREMENTS FOR GRANT RECIPIENTS; AND

(f) ANY OTHER INFORMATION THE DIVISION DEEMS NECESSARY.

(4) GRANT RECIPIENTS SHALL SUBMIT REPORTS TO THE DIVISION AS OUTLINED IN THE REPORTING REQUIREMENTS SUMMARIZING THE USE OF THE GRANT MONEYS.

(5) A GRANT AWARDED BY THE DIVISION SHALL BE USED FOR THE SCHOOL-BASED HEALTH CENTER FOR THE PURPOSES STATED IN THIS PART 5. THE GRANTS SHALL SUPPLEMENT EXISTING FUNDING SOURCES FOR THE SCHOOL-BASED HEALTH CENTER, SUCH AS FEDERAL FUNDS, PATIENT FEES, PUBLIC AND PRIVATE INSURANCE, AND GRANTS AND DONATIONS, INCLUDING IN-KIND DONATIONS RECEIVED FROM COMMUNITY HOSPITALS, FOUNDATIONS, LOCAL GOVERNMENTS, AND PRIVATE SOURCES.

SECTION 2. 25-20.5-104 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25-20.5-104. Functions of division. (2) In addition to any prevention and intervention programs created in or transferred to the division by executive order and any prevention and intervention programs transferred to the division by the executive director pursuant to subsection (4) of this section, the division shall operate the following prevention and intervention programs:

(f) THE SCHOOL-BASED HEALTH CENTER GRANT PROGRAM CREATED IN PART 5 OF THIS ARTICLE.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, prevention services division, for the school-based health center grant program created in section 25-20.5-503, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of five hundred thousand dollars (\$500,000) and 0.7 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Effective date. This act shall take effect July 1, 2006.

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: June 2, 2006