



Public Health

During the 2019 session, the Colorado General Assembly considered bills related to health facilities, chemical safety, maternal mortality, and other topics.

Facility Licensing

Two new health facility licenses were created during the 2019 session. The Colorado Department of Public Health and Environment (CDPHE) oversees licensing of most health care facilities. [HB 19-1010](#) creates a new freestanding emergency department license in CDPHE, beginning July 2022. The license will apply to a health facility that offers emergency care, that may offer primary and urgent care services, and that is either:

- owned or operated by a hospital or hospital system and located more than 250 yards from the main campus of the hospital; or
- independent from and not operated by a hospital or hospital system and not attached to or situated within 250 yards of a hospital.

Under current law, facilities that provide behavioral health services must hold various licenses issued by CDPHE or the Department of Human Services. [HB 19-1237](#) combines the various licenses into a single Behavioral Health Entity (BHE) license beginning in July 2022. The state Board of Health is authorized to promulgate rules, including a licensing fee structure, for the new license. The bill also

creates the BHE Implementation and Advisory Committee in CDPHE with members from state departments and stakeholder groups to advise various departments and the Board of Health on the phased-in implementation of BHE licensing.

Chemical Safety

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are human-made substances used to create products that resist heat, oil, and water. PFAS do not break down in the environment, and ingestion can be harmful to humans and wildlife. [HB 19-1279](#) creates the Firefighting Foams Control Act which:

- prohibits the use of certain firefighting foam that contains intentionally added PFAS for training purposes;
- requires manufacturers to disclose whether the personal protective equipment they produce contains PFAS;
- prohibits the sale of certain firefighting foam with added PFAS substances beginning in 2021; and
- requires CDPHE to survey fire departments every three years about issues related to PFAS foam and present the survey results to the General Assembly.

Public Health (cont'd)

Maternal Mortality

[HB 19-1122](#) creates the Maternal Mortality Review Committee in CDPHE. The committee must review maternal deaths that occur in the state, identify the causes of maternal mortality, and develop recommendations to address preventable maternal deaths. The committee is permitted access to health records related to maternal mortalities from health care providers, law enforcement, and coroners. Committee members are required to sign a confidentiality agreement in order to review the records. CDPHE must submit a report to the General Assembly with recommendations on reducing the incidences of maternal mortality every three years beginning in 2020.

Birth Certificates

Under current law, a birth certificate is issued with a sex designation as male or female. Individuals may request an amended birth certificate in the case of a change in sex or gender identify through a court order. [HB 19-1039](#) would allow the State Registrar to issue a new, rather than amended, certificate upon receiving a written request and signed statement confirming that a person's birth certificate does not align with the person's gender identity. The new certificate must reflect the new gender designation and new name, if applicable. Similarly, the Department of Revenue is required to issue a new driver's license or ID upon signed statement confirming that a person's license or ID does not align with the person's gender identity.

Immunizations

Currently, parents are required to obtain certain vaccinations for their children before public school enrollment. The law allows a parent to exempt his or her child from immunization

requirements by submitting a certification to the school from a medical provider stating that immunization would endanger the child due to a medical condition (medical exemption); or by submitting a signed statement to the child's school stating a religious or personal belief opposed to immunizations. [HB 19-1312](#), which was deemed lost, would have required CDPHE to develop a standardized form that a parent must fill out and submit to the CDPHE or a local public health agency to claim a personal or religious exemption. The form would have to be submitted in person for the first year, and online in subsequent years. The bill also would have required the Board of Health to adopt rules requiring the hepatitis A, rotavirus, and meningococcal immunizations, in addition to the immunizations already required to attend school in Colorado.