



SENATE BILLS

SJM07-004 *Prevent CMS Rule On Public Hospitals*

(Support (Level 2))

Sen. Tapia (D)

Rep. Buescher (D)

Memorializing Congress to enact legislation preventing the Center for Medicare and Medicaid from promulgating rules interfering with states' definitions of local units of government.

Status: 04/12/2007 Signed by the President of the Senate and the Speaker of the House

SJR07-005 *Flu Shots for Kids Month*

(Support (Level 2))

Sen. Groff (D)

Rep. Jahn (D)

Be It Resolved by the Senate of the Sixty-sixth General Assembly of the State of Colorado, the House of Representatives concurring herein: That the month of January 2007 be designated as "Flu Shots for Kids Month" in Colorado, and that we urge all citizens to recognize the importance of flu shot immunizations for children.

Status: 01/19/2007 Signed by the President of the Senate and the Speaker of the House

SJR07-012 *Urge Congress To Fund Child Health Insurance*

(Support (Level 2))

Sen. Hagedorn (D)

Rep. McGihon (D)

We, the members of the Sixty-sixth General Assembly, urge Congress to reauthorize SCHIP to enable Colorado to continue to provide quality, affordable health insurance coverage to nearly 50,000 children and to increase that number over time, extending coverage to the remaining uninsured children; and that Congress should appropriate funding to continue to provide services for current enrollees in every state; and that Congress should increase funding above current limits to build upon the success of the program and expand coverage to more children in Colorado; and that funding for SCHIP programs should not come at the expense of other important child and family services programs; and that Congress should provide additional flexibility in the program so that states can expand and enhance coverage based upon the needs of the state without federal waivers; and that Congress should encourage the adoption of standard of care guidelines, support demonstrations that promote best practices, and provide performance incentives for increases in the proportion of children receiving comprehensive primary health

services, including a medical home; and that Congress should include accountability measures related to further reducing the number of uninsured children, improving quality of care, and positively impacting healthy child development.

Status: 03/06/2007 Signed by the President of the Senate and the Speaker of the House

SB07-004 *Coordinated Payment System for Early Intervention Services*

(Support (Level 2))

Sen. Shaffer (D)

Rep. Todd (D)

Requires the department of human services (department) to develop and implement a coordinated system of payment for early intervention services for children from birth through their 3rd birthday who have developmental disabilities or developmental delays, using both public and private funds. Requires the department to submit an annual report to the general assembly regarding the various funding sources used for early intervention services, the number of eligible children served, and the average cost of early intervention services. Requires the department of health care policy and financing to ensure integration of the Medicaid system and the children's basic health plan into the coordinated system of payment for early intervention services and to make necessary modifications to Medicaid and the children's basic health plan to achieve such integration. Requires health insurance policies and health care service or indemnity contracts issued or delivered on or after January 1, 2008, to provide coverage for early intervention services delivered by an early intervention specialist to an eligible child. Specifies the duration and limitations of the coverage and precludes the applicability of deductibles, copayments, and lifetime caps on the coverage. Limits the existing mandated coverage for congenital defects and birth abnormalities to a covered child from the child's 3rd birthday to the child's 6th birthday.

Status: 05/15/2007 Governor Action - Signed



SB07-010 *Hospital Nurse Staffing Levels*

(Oppose (Level 2))

Sen. Tochtrop (D)

Rep. Frangas (D)

Requires each hospital to develop, implement, file with the department of public health and environment (department), and make available to patients upon request a staffing plan for the hospital that sets forth the minimum number of registered nurses, licensed practical nurses, and other personnel providing direct patient care required in each patient care unit in the hospital. Specifies the criteria to be used in developing a staffing plan, and requires input from a staffing committee consisting of a minimum percentage of the registered nurses providing direct patient care in the hospital. Mandates the inclusion of hospital staffing plans and certain nurse staffing information on the hospital report card developed by the department. Obligates hospitals to staff each patient care unit in accordance with their staffing plans, and allows a modification to the staffing plan for a particular patient care unit in an emergency. Compels hospitals to maintain accurate daily records and to submit nurse staffing information to the department at least semiannually. Prohibits a hospital from retaliating against or intimidating an employee for participating on the staffing committee or notifying the staffing committee, the hospital's administration, or the department of a deviation from a staffing plan or failure to develop or implement a staffing plan. Requires the department to investigate complaints of violations. Allows the department to impose civil penalties or suspend or revoke a hospital's license or certificate of compliance for violations. Specifies that the department is to submit a report to the health and human services committees of the senate and house of representatives regarding hospital compliance with the requirements of this act.

Status: 02/14/2007 Senate Committee on Health and Human Services Postpone Indefinitely

SB07-011 *Early Childhood Commission*

(Monitor)

Sen. Hagedorn (D)

Rep. McGihon. (D)

Abolishes the early childhood and school readiness commission, and creates the early childhood commission ("commission"). Directs the commission to prepare recommendations for the general assembly regarding the creation of a governing authority for all early childhood programs offered in the state. Directs the commission to oversee a statewide, comprehensive fiscal analysis of the cost of high-quality early childhood programs and services in all counties of the state. Allows general fund moneys to be appropriated to implement the statutory duties of the commission. Establishes a repeal date for the commission. Appropriates moneys from the general fund to the early childhood cash fund.

Status: 03/23/2007 Senate Committee on Appropriations Postpone Indefinitely

SB07-033 *Adoption of High-risk Children*

(Monitor)

Sen. Brophy (R)

Rep. Frangas (D)

Requires the state department of human services ("state department") to make or continue to make payments in subsidization of adoption to adoptive parents if it is determined after the time the child is placed for adoption that the child is one with special needs requiring mental health treatment and that the special needs are not the result of abuse or neglect inflicted by one of the adoptive parents subsequent to placement of the child. Limits the amount of foster care fees payable by the adoptive parents to an amount that does not exceed the amount of the payments in subsidization of adoption the adoptive parents receive during the period of time that the adopted child is receiving treatment in a mental health treatment facility. For purposes of the "Child Mental Health Treatment Act" ("act"), includes a child on behalf of whom the state department is making payments in subsidization of adoption in the definition of the term "child at risk of out-of-home placement". Further specifies that an adoptive family shall not be required to pay a family share for mental health services provided to their adopted child that is not otherwise covered by the family's insurance, federal Medicaid funding, or other funding provided pursuant to the act.

Status: 05/31/2007 Governor Action - Signed



SB07-036 *Mandatory Coverage for Mental Disorders*

(Support (Level 2))

Sen. Keller (D)

Rep. Stafford (R)

Expands mandatory health insurance coverage to require coverage for mental disorders as defined in the 9th revision of the international classification of diseases (ICD-9). Excludes the following mental disorders defined in the ICD-9 from the mandatory coverage provision: Homosexuality; and Tobacco use disorder.

Status: 05/30/2007 Governor Action - Signed

SB07-037 *Continue the Organ and Tissue Donation Awareness Fund*

(Support (Level 2))

Sen. Groff (D)

Rep. Witwer (R)

Continues the organ and tissue donation awareness fund until July 1, 2018.

Status: 03/30/2007 Governor Action - Signed

SB07-068 *Gymkhana Equestrian Helmet Choice*

(Monitor)

Sen. Weins (R)

Rep. McKinley (R)

Clarifies that the decision whether to wear a helmet while participating in certain equestrian events called gymkhana is the choice of the participant or, in the case of a minor, the participant's parent. Prohibits the Colorado state university cooperative extension service ("service") from adopting or approving a policy, procedure, or course of action that contravenes a gymkhana participant's decision whether to wear an equestrian helmet. Specifies that the service or a gymkhana program provider may require the parent of a gymkhana participant under 18 years of age to execute a release or waiver of the participant's prospective claim for negligence.

Status: 03/05/2007 House Committee on Education Postpone Indefinitely

SB07-097 *Allocate Tobacco Settlement Moneys*

(Support (Level 2))

Sen. Fitz-Gerald (D)

Rep. Madden (D)

Requires tobacco litigation settlement moneys that are currently required to be credited to the general fund or the tobacco litigation settlement cash fund to be allocated, in lump sums at the beginning of the 2007-08 fiscal year and at the beginning of each fiscal year thereafter, to the following health-care related programs, entities, and funds that, except for the children's basic health plan, do not currently receive tobacco litigation settlement moneys as follows: 49% to the University of Colorado at Denver and health sciences center; 12% to the division of mental health in the department of human services (DHS) for the purchase of mental health services from community mental health centers for juvenile and adult offenders who have mental health problems and are involved in the criminal justice system; 8.5% to the Colorado indigent care program of the department of health care policy and financing for licensed and certified private hospitals of 60 beds or less and all public hospitals that participate in the program to provide health care to indigent persons; 7% to the department of public health and environment (DPHE) for allocation to local public health services and county boards of health on a per capita basis; 5% to the children's basic health plan in conjunction with an increase in the eligibility threshold for the plan from 200% to 205% of federal poverty level; 4.5% to supplement the state contribution for state employee group benefit plans; 4% to DPHE for a newly created cervical cancer immunization program; 3% to the division of alcohol and drug abuse in DHS for the expansion of alcohol and drug abuse programs; 6% to a newly created short-term innovative health program grant fund to be used by DPHE to make short-term grants to fund innovative health programs designed to improve the health of Coloradans; and One percent to the regional pediatric trauma center, known as The Children's Hospital, to offset its Medicaid shortfall. Requires the moneys allocated to be credited to newly created funds and accounts so that they can be accounted for separately from other moneys and so that at the end of any fiscal year interest and income earned on such allocated moneys and any allocated moneys not expended or encumbered can be credited to the short-term innovative health program grant fund.

Status: 03/15/2007 Signed by the Governor



SB07-130 *Medical Home For Children*

(Support (Level 2))

Sen. Boyd (D)

Rep. M. Carroll (D)

Defines the term "medical home" as a primary care practice that provides continuous, accessible, and comprehensive medical and non-medical services to a child and his or her family. Instructs the state department of health care policy and financing ("department") to develop systems and standards to maximize the number of children who are enrolled in the medical assistance program or the children's basic health plan who have a medical home. Requires the department to report annually their progress toward maximizing the number of children who have a medical home and who are enrolled in the medical assistance program or the children's basic health plan.

Status: 05/30/2007 Governor Action - Signed

SB07-151 *Seat Belt Violations Primary Offense*

(Support (Level 2))

Sen. Groff (D)

Rep. Rice (D)

Makes it a primary offense, punishable as a class B traffic infraction, for a driver to operate a vehicle without the driver, certain children, and all front-seat passengers wearing a fastened restraining device. Requires a law enforcement officer, prior to stopping a driver in a vehicle for a restraining device violation, to clearly observe the restraining device violation and be able to articulate that the restraining device was unfastened. Modifies the age, height, and weight requirements for certain children that are otherwise required to be fastened in a child restraint system. Prohibits conviction for a safety belt violation if the person charged produces in court a bona fide written statement by a physician or chiropractor certifying that physical or psychological disability makes restraint by a safety belt system inappropriate. Specifies that it is the intent of the general assembly that the statutory prohibition against profiling be strictly observed by each law enforcement officer who stops or contemplates the stop of a motor vehicle driver for an alleged restraining device violation. Increases the fines and surcharges for restraining device violations.

Status: 04/12/2007 House Second Reading Special Order - Lost with Amendments

SB07-211 *Health Care for Children*

(Support (Level 2))

Sen. Hagedorn (D)

Rep. McGihon (D)

Establishes an advisory committee in the department of health care policy and financing ("department") to develop and oversee the implementation of a plan to provide health coverage for all low-income children in Colorado by the end of 2010. Specifies duties of the advisory committee. Requires the advisory committee to submit, at least annually, reports and recommendations to specified committees of the general assembly. Authorizes the executive director of the department to appoint a chief medical officer. Specifies qualifications and duties of the chief medical officer. For the baby and kid care program under Medicaid: Increases the percentage level of the federal poverty line for eligibility for persons at least 6 and under 19 years of age to 133% effective July 1, 2008; Prohibits the department from requiring an applicant to produce proof of family income; Establishes presumptive eligibility for children who meet the income level requirements; and Provides for 12-month enrollment following eligibility except for defined circumstances and ensures continuous enrollment if eligible for the children's basic health plan. For the children's basic health plan: Increases the percentage level of the federal poverty line for eligibility to 300% effective July 1, 2009; Suspends the annual enrollment fee for a year; Prohibits the department from requiring an applicant to produce proof of family income; Establishes presumptive eligibility for children who meet the income level requirements; and Ensures continuous enrollment between children's basic health plan and Medicaid, if eligible for Medicaid. Authorizes the department to train and certify application assistance sites to assist families in completing applications for Medicaid and the children's basic health plan. Establishes a mini-grant program to provide moneys to community-based organizations that establish application assistance sites. Funds the mini-grant program through a transfer of moneys from the tobacco tax revenues. Directs the department and the department of human services to jointly submit a report to the health and human services committees on the Colorado benefits management system. Identifies certain matters to be included in the report. Excludes from the requirement to prove lawful presence pregnant women and individuals over 18 and under 19 years of age who remain eligible for medical benefits after their 18th birthday. Directs the department to report to legislative committees on measures of access and quality of care received by children eligible for benefits through the department. Directs the department to develop clinical standards and methods for collecting, analyzing, and disclosing information concerning clinical performance. Directs the department to review the data generated and make recommendations concerning strategies to improve health outcomes.

Status: 05/31/2007 Governor Action - Signed



SB07-230 *Children's Mental Health Treatment Act*

(Support (Level 2))

Sen. Keller (D)

Rep. Frangas (D)

Authorizes mental health agencies ("agencies") to coordinate mental health care and services for children from assessment to discharge. Clarifies the items that agencies must report to the department of human services ("department"), including outcomes of treatment. Expands the rights of families by allowing for an appeal regarding the discharge of a child from a mental health program. Allows for the payment of room and board costs associated with residential treatment for categorically eligible children.

Status: 05/30/2007 Governor Action - Signed

HOUSE BILLS

HB07-1016 *Access Health Insurance*

(Support (Level 2))

Rep. Frangas (D)

Sen. Keller (D)

Expands the coverage of CoverColorado to include employees who are eligible for small group insurance through a multiple employer welfare arrangement (MEWA), but who have a presumptive condition as determined by the CoverColorado board of directors. Requires a self-insured MEWA or a health insurance carrier for a fully insured MEWA to determine whether an individual in a MEWA has one of the presumptive conditions that under other circumstances would make this person eligible for CoverColorado. Requires information used to determine such individual's presumptive eligibility to remain confidential. Mandates that MEWAs and insurance carriers for MEWAs cede to CoverColorado any insurance risk of an employee or dependent of an employee who has such a presumptive condition. Requires the premium for a person enrolled in CoverColorado for each insurance risk ceded to CoverColorado to be paid by the MEWA ceded insurance risk fund, which is created to receive annual appropriations by the general assembly from the general fund. Requires the board of education in each school district to require each student, at the time of registration, to provide information as to whether the student is enrolled in a health benefit plan. Requires each board of education to provide, to each student it determines is not enrolled in a health benefit plan, information regarding the children's basic health plan. Directs the department of health care policy and financing (state department) to develop a plan to maximize enrollment for public health benefits and services. Expands eligibility for children to enroll in the children's basic health plan to include those whose family incomes exceed 250% of the federal poverty guidelines by 2009. Authorizes the state department

to seek a waiver from the federal government to expand the children's basic health plan to include dental care for pregnant women and to include vaccination against the human papilloma virus for children from 12 to 18 years of age with parental consent.

Status: 02/26/2007 House Committee on Health and Human Services Postpone Indefinitely

HB07-1112 *Parity Insurance Coverage for Mental Health*

(Monitor)

Rep. Casso (D)

Requires group health benefit plans to provide coverage for mental illness that is at least as extensive as the coverage provided for physical illness. Eliminates the ability of small group basic health benefit plans to exclude coverage of mental illness.

Status: 02/05/2007 House Committee on Health and Human Services Postpone Indefinitely

HB07-1117 *Motorcycle Helmet Requirement*

(Support (Level 2))

Rep. Primavera (D)

Sen. Gordon (D)

Requires a person under 18 years of age who is an operator of a motorcycle or motorized bicycle and a person under 18 years of age who is a passenger on a motorcycle or motorized bicycle to wear a protective helmet that is designed according to certain specifications. Sets the penalty and surcharge for failing to wear a protective helmet at \$100 and \$15, respectively. Sets an additional \$10 surcharge for each violation to be deposited in the Colorado traumatic brain injury trust fund.

Status: 05/31/2007 Governor Action - Signed



HB07-1128 *Health Advisory Committee on Patient Safety*

(Monitor)

Rep. Primavera (D)

Creates a health facilities advisory committee on patient safety in the department of public health and environment for the purpose of providing policy guidance in developing standards and innovations at health care facilities in order to ensure patient safety and quality care. Directs the advisory committee to analyze hospital report cards and make recommendations for quality improvements. Directs the advisory committee to issue reports on best practices in patient safety. Directs the advisory committee to advise the joint budget committee of the general assembly annually on how to reward quality in delivering patient care through adjustments in reimbursement rates and policies. Specifies the membership of the advisory committee. Provides for the sunset review of the advisory committee.

Status: 04/24/2007 House Second Reading Special Order - Lost with Amendments

HB07-1266 *Uniform Anatomical Gift Act*

(Support (Level 2))

Rep. McGihon (D)

Sen. Shaffer (D)

Enacts the "Revised Uniform Anatomical Gift Act", drafted by the national conference of commissioners on uniform state laws. Makes it easier to make a document of gift, particularly as provided on drivers' licenses. Creates a power in certain individuals, such as a holder of a health care power of attorney, to authorize an anatomical gift on behalf of an incapacitated person before death actually occurs. Expands the list of those who may make an anatomical gift after an individual dies, when the individual has not executed a document of gift. Clarifies that an anatomical gift that does not specify the donees of organs goes to a recognized transplant organization responsible for allocating organs. Accommodates the use of donor registries upon which a potential donor may put a document of gift for notice purposes. Facilitates a document of refusal if an individual does not want organs donated. Specifies criminal penalties for misrepresentation of a document of gift for the purposes of selling organs or tissue. Resolves ambiguity and conflict between anatomical gifts and "do not resuscitate" instructions. Designates the department of revenue as the lead state agency regarding anatomical gifts.

Status: 05/14/2007 Governor Action - Signed

HB07-1301 *Cervical Cancer Immunizations*

(Support (Level 2))

Rep. Buescher (D)

Sen. Williams (D)

Establishes the cervical cancer immunization program to immunize female minors and women against cervical cancer. Directs the department of public health and environment to investigate ways of making cervical cancer vaccines available. Authorizes the state board of health to adopt rules to assist the department in making the vaccines available. Encourages federally qualified health centers to contract with local public health agencies to administer vaccinations to underinsured female minors. Authorizes local public health agencies to administer vaccinations to underinsured female minors. Directs the department to pay a local public health agency's costs for administering cervical cancer vaccinations. Establishes the cervical cancer immunization fund for the program. Transfers \$1.5 million of moneys in the prevention, early detection, and treatment fund to the program fund for the program. Directs the department to conduct a public awareness campaign. Establishes a public awareness campaign fund. Authorizes the department to solicit and accept gifts, grants, and donations to pay for the public awareness campaign. Specifies that if \$800,000 is received in gifts, grants, or donations by January 1, 2008, \$200,000 shall be transferred from the program fund to the public awareness fund. Adds cervical cancer immunization as a benefit under Medicaid. Mandates that certain health insurance policies provide coverage for cervical cancer vaccinations.

Status: 05/29/2007 Governor Action - Signed

HB07-1346 *Prepaid Inpatient Health Plans MCOs*

(Support (Level 2))

Rep. Buescher (D)

Sen. Tapia (D)

Authorizes the department of health care policy and financing ("department") to enter into prepaid inpatient health plan agreements ("PIHP agreement") to provide for the payment of services for recipients under the medical assistance program. Specifies that PIHP agreements may provide for an incentive payment if the contractor substantially exceeds predetermined quality indicators. Requires the contractor to pay at least 75% of the incentive payment to Medicaid providers. Authorizes an increase in the fees paid under a PIHP agreement to cover the costs of electronic medical records. Repeals the requirement that a capitation payment to a managed care organization under the medical assistance act may not exceed 95% of the costs of a similar population under fee-for-service costs.

Status: 05/29/2007 Governor Action - Signed



HB07-1347 Immunization Registry Act

(Support (Level 2))

Rep. A. Kerr (D)

Sen. Shaffer (D)

In order to expand the immunization registry and increase access to immunizations, authorizes the department of public health and environment (department) to address: Mechanisms for maximizing federal funds to purchase, distribute, and deliver vaccines; Methods to reduce the administrative burdens of providing immunizations to individuals in Colorado; Options for Colorado to more effectively purchase, distribute, and deliver vaccines to underinsured and uninsured individuals; Options for the most cost-effective use of funds; Private-public partnerships to the immunization registry; and Methods for implementing the findings of the committee and to provide a report to the general assembly. Authorizes the department of public health and environment to establish a comprehensive immunization tracking system to include all persons in Colorado who voluntarily participate in the system. Requires records in the system to be confidential except under specific circumstances. Makes the unauthorized release or the sale of confidential immunization records a class 1 misdemeanor. Subjects a business entity that sells such records to a civil penalty. Allows an individual or parent or guardian of an individual to exclude immunization information from the comprehensive immunization tracking system. Makes conforming amendments.

Status: 04/26/2007 Governor Action - Signed

To guide its advocacy work, The Children's Hospital looks to its board-level Advocacy Committee, which provides leadership and direction in identifying and prioritizing advocacy efforts, analyzing the many pieces of legislation that may affect children's health and determining which should be top priorities.

SUPPORT-1: A priority bill for The Children's Hospital, usually introduced by and/or sponsored by TCH. TCH dedicates substantial resources to advocating for the legislation's passage and sends regular action alerts/updates to the Advocacy Network. TCH lobbies for the bill and often works with the media to highlight the issue. TCH arranges testimony in legislative committee hearings, often providing its own physicians, nurses or other employees as experts.

SUPPORT-2: Because of its potential to positively impact kids' health, hospitals or health care in general, TCH allows the bill sponsors to list TCH as a supporter. TCH tracks the bill's status and may alert the Advocacy Network before critical votes. TCH may lobby for the bill or arrange expert testimony in committee hearings as appropriate.

MONITOR: Because of its potential impact on kids, kids' health, hospitals or health care in general, TCH monitors the bill's status but does not take an official position.

OPPOSE-1: Because of its potential to negatively impact kids' health, hospitals or health care in general, TCH makes opposition to the bill a priority issue, bringing to bear significant resources including lobbying efforts, work with the media, and grassroots action. TCH arranges testimony in legislative committee hearings, often providing its own physicians, nurses or other employees as experts.

OPPOSE-2: Because of its potential to negatively impact kids' health, hospitals or health care in general, TCH officially opposes the legislation. TCH tracks the bill's status and may alert the Advocacy Network before critical votes. TCH may lobby for the bill or arrange expert testimony in committee hearings as appropriate.