

LEGISLATION THAT FAILED

Public Health Nurses Association of Colorado

HB1040	UNFUNDED MANDATES ON LOCAL GOVERNMENTS
	Rep. Vigil Directs the Division of Local Government in DOLA to submit an annual report to the Local Government Committees of the House and Senate regarding any legislation adopted that year that imposes unfunded mandates on local governments. Specifies the contents of the report shall include a description of the mandate, the impacted local government(s), any identifiable direct cost to the local government(s) and the extent of state participation, if any.
Position	Monitor
Current Status	Postponed Indefinitely
HB1077	BEHIND THE COUNTER TOBACCO SALES
	Rep. Schafer S. & Sen. Newell Prohibits the retail sale of cigarettes or tobacco products by use of a self-service display, except in tobacco specialty stores, defined as 75% of business must be tobacco, and in other situations where the self-service display is a legally authorized vending machine. Includes violations of this law within the fine structure for violations of other laws regulating the sale of tobacco to minors.
Position	Passive support
Current Status	Postponed Indefinitely
HB1116	CHILDREN'S DENTAL PROGRAM MONEYS
	Rep. Frangas & Sen. Hudak Repeals the intent of the general assembly that general fund moneys not be used to implement the children's dental assistance program. Allows the children's dental plan cash fund to include general fund appropriations, but not in FY09-10.
Position	Support
Current Status	Postponed Indefinitely

LEGISLATION THAT FAILED

HB1210 **REQUIRE PAID SICK LEAVE ACCRUAL**

Rep. McGihon & Sen. M. Carroll

Creates the "Healthy Families & Workplaces Act" to require all private employers that employ more than 5 employees in the state to provide paid sick leave to employees. Specifies accrual rate based upon size of employer and hours per week worked by employees. Allows unused paid sick leave to carry forward to the next calendar year if not used in the year it accrued. Specifies purposes for which employees may use paid sick leave, including mental or physical illness, preventive care, etc. for the employee or a family member (defined broadly), or if the employee or family member has been the victim of domestic abuse, sexual assault or stalking. Prohibits retaliation against employees who use paid sick leave in accordance with this act. Requires employers to notify employees of their rights in writing and by displaying a poster. Requires employers to retain records documenting hours work and leave accrued and used for each employee and to make such records available to Division of Labor for compliance monitoring. Authorizes the Division of Labor to implement and enforce the act. Specifies confidentiality requirements and prohibits employers from disclosing such information or requiring an employee to disclose.

Position Monitor

Current Status Postponed Indefinitely

HB1225 **RISK ASSESSMENT OF K-12 STUDENTS**

Rep. S. Schafer & Sen. Bacon

Allows school districts to conduct a risk assessment of certain students who apply for admission who have, within the previous 6 months, been involved in circumstances related to threat of physical harm or other act of violence. Requires districts to designate a qualified person to conduct such risk assessment. Lists persons and entities that must be contacted before the risk assessment may be considered complete. Specifies that school district and agency from which the student is transferring (if any) shall equally share the cost of the evaluation. Allows school district to deny admission to a student whose risk assessment results in a determination that they pose a probable risk of harm to themselves or others in the school, but requires a meeting to be held to determine appropriate educational alternative if admission is denied. Requires school districts to comply with state and federal laws regarding special education if the student is a child with a disability.

Position Pending review

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

HB1273 HEALTH CARE FOR COLORADO

Rep. Kefalas & Sen. Foster

Creates the Colorado health care authority as a body corporate and political subdivision of the state. Identifies members of the committee to be appointed by legislative leadership and the Governor. Establishes the mission of the authority, which is to create a health care system in Colorado that is the administrator and payer for health care services. Requires the authority to create a system to recommend to the General Assembly that provides comprehensive medical benefits to Coloradans. Requires the appointment of a board of directors to create and develop the health care systems. In creating and developing the system, requires the board to consider specific requirements and analyses. Specifies comprehensive medical benefits to be included in the system. Establishes a fund consisting of any general fund moneys appropriated. Requires the Executive Director of the authority to seek all necessary waivers, exemptions, and agreements from the federal government to ensure consistent levels of funding if the system is implemented by bill of the General Assembly. Prohibits the implementation of the creation and development of the system if the board does not raise sufficient gifts, grants, and donations by July 1, 2011, to fund its activities. Prohibits the implementation of the system until all necessary waivers, exemptions, and agreements are in place; the board certifies that the board has received sufficient funding; and the General Assembly acts by bill to implement the system.

Position Monitor

Current Status Lost

HB1278 CARE FOR VULNERABLE POPULATIONS

Rep. Frangas

Sections 1 and 2. Subject to available appropriations, authorizes the department of health care policy and financing (department) to increase the federal poverty level for persons eligible for the children's basic health plan to the maximum permitted by federal law. Sections 3 through 9. Subject to the receipt of sufficient gifts, grants, or donations, directs the department to establish a state navigator position to assist medicare clients in identifying and evaluating available programs. Makes conforming amendments. Section 10. To the extent authorized by a new federal law, expands eligibility for medicaid to persons who are involuntarily unemployed. Section 11. Provides that an administrative law judge shall award a recipient his or her reasonable attorney fees if he or she is substantially successful in an appeal. Sections 12 and 13. In developing memorandums of understanding for agencies providing services to families and children, encourages the input of family members and family organizations. Defines family members and family organizations. Section 14. Authorizes the department of public health and environment to seek and accept moneys and grants to prevent chronic diseases and to increase immunizations. Section 15. Subject to the receipt of sufficient gifts, grants, and donations, authorizes the commissioner of insurance to appoint one or more physician's advocates to make recommendations to the division of insurance when an insurance carrier denies a treatment as not being medically necessary. Grants immunity to physician's advocates who make the recommendations. Sections 16 through 21. Requires home care placement agencies to be licensed by the department of public health and environment. Authorizes the state board of health to establish minimum standards for home care placement agencies. Penalizes home care placement agencies for failure to comply with the licensing requirements or standards.

Position Pending review

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

HB1358	CREATE HEALTH CARE SYSTEM FOR COLORADO
	Rep. Rice Creates the Colorado health care authority (authority) as a body corporate and political subdivision of the state. Establishes the mission of the authority, which is to create a health care system (system) in Colorado that is the administrator and payer for health care services. Requires the authority to design a system to recommend to the general assembly that provides comprehensive medical benefits to all Coloradans. Requires the appointment of a board of directors (board) to create and develop the system. In creating and developing the system, requires the board to consider specific requirements and analyses. Requires the executive director of the board to seek all necessary waivers, exemptions, and agreements from the federal government to ensure consistent levels of funding if the system is implemented by bill of the general assembly. Prohibits the implementation of the creation and development of the system if the board does not raise sufficient gifts, grants, and donations by July 1, 2011, to fund its activities. Prohibits the implementation of the system until all necessary waivers, exemptions, and agreements are in place and the general assembly acts by bill to implement the system.
Position	Pending review
Current Status	Postponed Indefinitely

SB007	INVOLUNTARY COMMITMENT BY MEDICAL PROFESSIONALS
	Sen. Veiga & Rep. Reisberg Eliminates the provisions of law that were to become effective July 1, 2009, that would have authorized an advanced practice nurse to examine a person for whom involuntary commitment for drug or alcohol abuse is sought.
Position	Oppose
Current Status	Postponed Indefinitely

SB009	DENTAL SERVICE FOR MEDICAID AND CHIP CLIENTS
	Sen. Boyd & Rep. Massey Health Care Task Force. Adds adult dental services to optional services provided under the "Colorado Medical Assistance Act". Allows the medical services board to adopt rules specifying the particular dental services that will be provided. Adds dental services to prenatal and postpartum care for pregnant women under the "Children's Basic Health Plan Act".
Position	Passive support
Current Status	Postponed Indefinitely

SB029	REQUIRE SAFETY BELTS ON SCHOOL BUS
	Sen. Shaffer B. & Rep. McFadyen Requires school buses purchased after June 30, 2010 to be equipped with 3-point shoulder and lap safety belts and requires their use by driver and all passengers on any bus so equipped. Exempts persons with disabilities if a physician certifies that a safety belt is inappropriate. Amended to delete retro-fitting of buses purchased after 2004 and instead make application entirely prospective beginning in 2010. Amended to delete requirement that driver make reasonable attempt to ensure seat belt use and replace this language with immunity of driver for any penalty for violations arising within scope of driver's duties. Amended to prevent noncompliance with seat belt requirement by passengers from being used to mitigate damages of a person causing an accident with a school bus. Amended to delete duty of CDE to enforce act.
Position	Monitor
Current Status	Postponed Indefinitely

LEGISLATION THAT FAILED

SB046	HEALTHY SNACK FOODS IN SCHOOLS
	Sen. Sandoval Requires each school district board of education and the state charter school institute to adopt a policy prohibiting the sale of snack food to students from any source. Creates exceptions for snack foods that meet minimal nutritional requirements, sales at school-sponsored events where parents and adults constitute a significant portion of those present, or fund-raising that occurs off-campus. Defines "snack food" to exclude beverages.
Position	Active Support
Current Status	Postponed Indefinitely

SB102	MEDICAL BENEFITS IF EMPLOYER INSURED
	Sen. Brophy Prohibits a person from being eligible for Medicaid or children's basic health plan if the person is eligible for coverage by a comparable insurance plan through an employer and the employer contributes at least 50% of the premium cost.
Position	Pending review
Current Status	Postponed Indefinitely

SB120	SUNSET PSYCHIATRIC TECHNICIANS LICENSING
	Sen. Mitchell & Rep. Primavera Sunset Process - Senate Health and Human Services Committee. Implements the recommendations of the department of regulatory agencies (DORA) in its sunset review of the licensing of psychiatric technicians by the board of nursing as follows: 1) continues licensing and regulation by the board of nursing for 5 years (in 21014) and then repeals without a sunset review, 2) Repeals the prohibition against nurses delegating the selection of medication to someone not authorized by law to do so.
Position	Pending review
Current Status	Postponed Indefinitely

SB153	NEWBORN SCREENING PROGRAM ANALYSIS
	Sen. Penry Requires the executive director of the department of public health and environment, in consultation with the state board of health and other interested parties and organizations, to develop an analysis of the adequacy of newborn screenings. The analysis shall include the extent to which newborn screenings are performed on all infants and the extent to which the screenings undergo periodic review, the disparities between tests performed in Colorado and other states and what the American College of Genetics recommends. Requires the Dept to recommend legislative and regulatory changes regarding the screenings and requires the Dept to publish finding to the general assembly.
Position	Pending review
Current Status	Postponed Indefinitely

LEGISLATION THAT FAILED

SB153 **NEWBORN SCREENING PROGRAM ANALYSIS**

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Position Pending review

Current Status Postponed Indefinitely

SB166 **PRESCRIPTION DRUGS ETHICS ACT**

Sen. M. Carroll & Rep. Pace

Creates the "Prescription Drug Ethics Act". Prohibits a manufacturer or wholesale drug, biological product, or medical or surgical device distributor who participates in a state health program from offering a gift, fee, payment, subsidy, or other economic benefit to a health care practitioner. Creates exemptions. Requires each manufacturer or distributor to disclose to the state board of pharmacy (board) the value of any benefit provided to any health care practitioner, hospital, nursing home, pharmacist, health benefit plan administrator, or any other person authorized to prescribe, dispense, or purchase at wholesale prescription drugs, biological products, or medical or surgical devices. Requires the board to make the reported information available on its web site. Requires each manufacturer or distributor that participates in a state health program to submit a report containing advertising and marketing expenditures to the board. Requires the board to make an annual report to the general assembly. Requires a health care practitioner, health plan, hospital, or other institution that receives any type of funding or payment from the state to exclude any person with a financial interest in a manufacturer from participating in decisions that influence the wholesale purchasing of prescription drugs. Allows the attorney general to bring action and impose a penalty. Grants rule-making authority to the board. Prohibits a person from knowingly disclosing or using records that include prescription information containing individual identifying information in order to market a prescribed product. Creates a penalty for disclosing an individual's prescription information containing individual identifying information. Creates the prescription drug ethics cash fund to consist of fees and gifts, grants, and donations collected by the board for the purposes of the "Prescription Drug Ethics Act".

Position Pending review

Current Status Postponed Indefinitely

SB172 **RESTAURANT INSPECTION PROCESS**

Sen. Boyd & Reprs. A Kerr and B. Gardner

Ensures uniform statewide administration of food safety in Colorado. Requires administration, implementation, interpretation, and enforcement of food safety laws by the state or county or district public health agencies. Increases the fees for retail food establishments. Creates a grievance process for food establishment licensees who believe that a county or district public health agency is taking action outside of its authority. (See also SB 223)

Position Pending review

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SB296 **SEAT BELT PRIMARY OFFENSE**

Sen. Boyd & Rep. Ryden

Creates a primary offense for failure to wear a seat belt. Modifies child safety restraint law, and creates legislative intent that racial profiling laws be strictly followed.

Position Pending review

Current Status Postponed Indefinitely