

MEMORANDUM

TO: Barbara Burgess
Greg Maloney

FROM: Suzanne Hamilton

DATE: June 8, 2015

RE: Final Legislative Report for 2015 session

The Governor has completed action on all bills.

HOUSE BILLS

Bill: [HB15-1015](#)

Title: Interstate Compact EMS Providers

Status Governor Signed (05/08/2015)

Senate Sponsors [J. Cooke](#) (R)

House Sponsors [F. Winter](#) (D)

Official Summary The bill enacts and authorizes the governor to enter into an interstate compact with other states to recognize and allow emergency medical services (EMS) providers licensed in a compact member state to provide EMS in Colorado.

Position Monitor

Comment

Bill: [HB15-1029](#)

Title: Health Care Delivery Via Telemedicine Statewide

Status Governor Signed (03/20/2015)

Senate Sponsors [J. Kefalas](#) (D)

[B. Martinez Humenik](#) (R)

House Sponsors [P. Buck](#) (R)

[J. Ginal](#) (D)

Official Summary Under current law, health benefit plans issued, amended, or renewed in this state cannot require in-person health care delivery for a person covered under the plan who resides in a county with 150,000 or fewer residents if the care can be appropriately delivered through telemedicine and the county has the technology necessary for care delivery via telemedicine.

Starting January 1, 2016, the bill removes the population restrictions and precludes a health benefit plan from requiring in-person

Bill: [HB15-1032](#)

Title: Licensed Mental Health Professionals Treat Minors

Status Governor Signed (03/20/2015)

Senate Sponsors [I. Aguilar](#) (D)

House Sponsors [J. Singer](#) (D)

Official Summary Under current law, a professional person may render mental health services to a minor who is at least 15 years of age with the minor's consent. Professional person includes a person licensed to practice medicine or psychology.

The bill specifies that other licensed mental health professionals, namely, licensed social workers, marriage and family therapists, professional counselors, and addiction counselors, may also render mental health services to minors.

Position Monitor

Comment

Bill: [HB15-1036](#)

Title: Warn Pregnant Women Med Marijuana Dangers

Status House Committee on Public Health Care & Human Services Postpone Indefinitely (02/03/2015)

Senate Sponsors

House Sponsors [J. Tate](#) (R)

Official Summary The bill requires the department of revenue to promulgate rules regarding a requirement that a licensed medical marijuana center display in a conspicuous location a sign that warns pregnant women about the dangers to fetuses caused by smoking or ingesting marijuana while pregnant. The rules shall include the specific language regarding the warning that must be included on the sign. The bill prohibits a medical marijuana center agent or employee from recommending medical marijuana to a pregnant woman.

Position Monitor

Comment

Bill: [HB15-1039](#)

Title: Prescription Give-back For Institutions

Status Governor Signed (03/13/2015)

Senate Sponsors [T. Neville](#) (R)

House Sponsors [M. Tyler](#) (D)

Official Summary Current law restricts the use of donated medications, medical

Bill: [HB15-1041](#)

Title: Protect Human Life At Conception

Status House Committee on Judiciary Postpone Indefinitely (02/26/2015)

Senate Sponsors [K. Lundberg](#) (R)

House Sponsors [S. Humphrey](#) (R)

[K. Ransom](#) (R)

Official Summary The bill prohibits abortion and makes a violation a class 3 felony.

The following are exceptions to the prohibition:

- A licensed physician performs a medical procedure designed or intended to prevent the death of a pregnant mother, if the physician makes reasonable medical efforts under the circumstances to preserve both the life of the mother and the life of her unborn child in a manner consistent with conventional medical practice; and
- A licensed physician provides medical treatment to the mother that results in the accidental or unintentional injury or death to the unborn child.

The pregnant mother upon whom an abortion is performed or attempted is not subject to a criminal penalty. The sale and use of contraception is not prohibited by the bill. A conviction related to the abortion prohibition constitutes unprofessional conduct for purposes of physician licensing.

Position Oppose

Comment

Bill: [HB15-1059](#)

Title: Denver Health & Hospital Authority Board

Status Governor Signed (03/20/2015)

Senate Sponsors [L. Guzman](#) (D)

House Sponsors [A. Garnett](#) (D)

Official Summary The Denver health and hospital authority (authority) provides health care services for all citizens of Denver, regardless of ability to pay.

The authority is currently governed by a 9-member board of directors (board) that is responsible for the operation of the authority. The members of the board are appointed by the Denver mayor, and each member serves a 5-year term.

The bill increases the number of members on the board from 9 to 11 beginning on July 1, 2015. The initial and subsequent terms of both new members appointed by the mayor are 5 years.

The bill deletes a reference to the Denver board of health and

Bill: [HB15-1066](#)

Title: Repeal Health Benefit Exchange

Status House Committee on Health, Insurance, & Environment Postpone Indefinitely (01/29/2015)

Senate Sponsors [K. Lundberg](#) (R)

House Sponsors [J. Joshi](#) (R)

Official Summary In 2010, pursuant to the enactment of federal law that allowed each state to establish a health benefit exchange option through state law or opt to participate in a national exchange, the general assembly enacted the Colorado Health Benefit Exchange Act (act). The act created the state exchange, a board of directors (board) to implement the exchange, and a legislative health benefits exchange implementation review committee to make recommendations to the board. The bill repeals the act, effective January 1, 2016. The bill requires the state treasurer to transfer any unencumbered moneys that remain in the exchange to the general fund.

Position Monitor

Comment

Bill: [HB15-1075](#)

Title: Registered Naturopathic Doctor Treating Children

Status Governor Signed (03/26/2015)

Senate Sponsors [L. Crowder](#) (R)

House Sponsors [J. Ginal](#) (D)

Official Summary Current law prohibits a registered naturopathic doctor (ND) from treating a child who is under 2 years of age. The bill permits an ND to treat a child who is under 2 years of age if the ND:

- Provides the child's parent with the current recommended immunization schedule for children;
- Demonstrates, prior to treating a child under 2 years of age and in each year in which the ND treats a child under 2 years of age, completion of 3 hours per year of education or training in pediatrics;
- Requires the child's parent to sign an informed consent acknowledging that the ND is registered under the Naturopathic Doctor Act and is not a licensed physician, recommending that the child maintain a relationship with a licensed pediatric health care provider, and requesting permission to collaborate with the child's pediatric health care provider;

Bill: [HB15-1082](#)

Title: Time Limit On Mental Health Disciplinary Actions

Status House Committee on Public Health Care & Human Services Postpone Indefinitely (02/13/2015)

Senate Sponsors

House Sponsors [J. Melton](#) (D)

Official Summary The bill requires that any disciplinary proceeding against a mental health professional must be commenced within 5 years after the alleged act or failure to act giving rise to the proceeding.

Position Monitor

Comment

Bill: [HB15-1083](#)

Title: Patient Contribution Rehabilitation Services

Status Governor Signed (06/05/2015)

Senate Sponsors [L. Crowder](#) (R)

House Sponsors [D. Primavera](#) (D)

Official Summary The bill prohibits an insurance carrier from classifying an office visit for physical rehabilitation services provided by a physical therapist, occupational therapist, or chiropractor as a specialty service. The bill limits the copayment that may be charged for physical rehabilitation services to 50% of what the provider is paid for the visit by the carrier.

Position Monitor

Comment

Bill: [HB15-1087](#)

Title: Alcohol And Substance Abuse Medical Detox Centers

Status House Committee on Appropriations Postpone Indefinitely (04/17/2015)

Senate Sponsors [P. Steadman](#) (D)

[C. Jahn](#) (D)

House Sponsors [E. Vigil](#) (D)

Official Summary The bill creates the alcohol and substance abuse medical detox centers pilot program (pilot program) in the unit that administers behavioral health programs and services, including those related to mental health and substance abuse (unit), within the department of human services (department). The purpose of the pilot program is to provide limited medical services that are otherwise unavailable to individuals who are addicted to alcohol or substances and who are going through the detoxification process. The pilot program will initially consist of one rural

Bill: [HB15-1128](#)

Title: Women's Health Protection Act

Status House Committee on Health, Insurance, & Environment Postpone Indefinitely
(02/12/2015)

Senate Sponsors [T. Neville](#) (R)

House Sponsors [P. Neville](#) (R)

Official Summary The bill requires all abortion clinics to be licensed by the department of public health and environment (department). Licensure is valid for one year. Prior to licensure or relicensure, the department shall conduct an on-site inspection of the abortion clinic. The bill requires the department to promulgate rules regarding:

- The abortion clinic's physical facilities;
- The abortion clinic's supply and equipment standards;
- The abortion clinic's personnel, including requiring that the clinic employ at least one doctor with admitting privileges at a hospital within the state within 30 miles of the abortion clinic;
- Medical screening and evaluation of each patient;
- The abortion procedure;
- Minimum recovery room standards;
- Follow-up care for abortion patients; and
- Minimum incident reporting.

The bill creates criminal and civil penalties for violations of the requirements of the bill.

Position Oppose

Comment

Bill: [HB15-1135](#)

Title: Terminally Ill Individuals End-of-life Decisions

Status House Committee on Public Health Care & Human Services Postpone Indefinitely
(02/06/2015)

Senate Sponsors [L. Guzman](#) (D)

House Sponsors [L. Court](#) (D)

[J. Ginal](#) (D)

Official Summary The bill enacts the Colorado Death with Dignity Act (act), which authorizes an individual with a terminal illness to request, and the individual's attending physician to prescribe to the individual for self-administration by ingestion, life-ending medication intended to hasten the individual's death. The individual must:

- Be a Colorado resident;

Bill: [HB15-1141](#)

Title: Hospital Provider Fee Patient Billing Statements

Status House Committee on Health, Insurance, & Environment Postpone Indefinitely (02/12/2015)

Senate Sponsors [T. Neville](#) (R)

House Sponsors [J. Joshi](#) (R)

Official Summary The bill removes the statutory prohibition on hospitals from including the amount of the hospital provider fee on patient billing statements and requires hospitals to include the amount of the fee.

Position Monitor

Comment

Bill: [HB15-1143](#)

Title: Tax Incentive For Home Health Care

Status House Committee on Finance Postpone Indefinitely (03/11/2015)

Senate Sponsors [L. Crowder](#) (R)

House Sponsors [K. Conti](#) (R)

Official Summary This bill creates a five-year income tax credit for a percentage of the costs incurred by a qualifying senior for durable medical equipment, telehealth equipment, home modifications, or home health care services in each income tax year, subject to a maximum amount, in order to assist the qualifying senior with seeking health care in his or her home.

Position Monitor

Comment

Bill: [HB15-1147](#)

Title: Require License To Practice Genetic Counseling

Status Senate Committee on Business, Labor, & Technology Postpone Indefinitely (04/08/2015)

Senate Sponsors [N. Todd](#) (D)

House Sponsors [J. Ginal](#) (D)

Official Summary The bill enacts the Genetic Counselor Licensure Act. On and after June 1, 2016, a person cannot practice genetic counseling without being licensed by the director of the division of professions and occupations in the department of regulatory agencies. To be licensed, a person must have graduated with an appropriate genetic counseling degree and have been certified by a national body, except that the director may issue a provisional license to a candidate for certification pursuant to requirements established by rule.

Bill: [HB15-1151](#)

Title: Floor For Medicaid Provider Rates

Status House Committee on Health, Insurance, & Environment Postpone Indefinitely
(03/12/2015)

Senate Sponsors [K. Lambert](#) (R)

House Sponsors [B. Rankin](#) (R)

Official Summary **Joint Budget Committee.** Current law authorizes the medical services board by rule to establish payment rates for services under Medicaid. The bill requires those rates to be not less than 60% of:

- The rate for the equivalent service under Medicare; or
- If there is no equivalent Medicare rate, the average fair market rate for the service.

Position Monitor

Comment

Bill: [HB15-1162](#)

Title: Ban Sex-selection Abortions

Status House Committee on State, Veterans, & Military Affairs Postpone Indefinitely
(03/16/2015)

Senate Sponsors

House Sponsors [D. Nordberg](#) (R)

Official Summary The bill outlaws:

- The performance of an abortion for the purposes of sex selection;
- Coercion of an abortion for the purposes of sex selection;
- Solicitation or acceptance of funds for the performance of an abortion for the purposes of sex selection; or
- Transporting a woman into Colorado so the woman can receive an abortion for the purposes of sex selection.

Position Oppose

Comment

Bill: [HB15-1163](#)

Title: Contingent Repeal Health Insurance Laws Aligning With ACA

Status House Committee on Health, Insurance, & Environment Postpone Indefinitely
(02/19/2015)

Senate Sponsors

House Sponsors [G. Klingenschmitt](#) (R)

Official Summary In 2013, the general assembly enacted House Bill 13-1266 to align

Bill: [HB15-1175](#)

Title: Prohibit Conversion Therapy

Status Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely (04/08/2015)

Senate Sponsors [P. Steadman](#) (D)

House Sponsors [P. Rosenthal](#) (D)

Official Summary The bill prohibits a licensed physician specializing in psychiatry and a licensed or registered mental health care provider from engaging in conversion therapy with a patient under 18 years of age. A licensee who engages in these efforts is subject to disciplinary action by the appropriate licensing board. Conversion therapy means efforts that seek to change an individual's sexual orientation, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attraction or feelings toward individuals of the same sex.

Position Monitor

Comment

Bill: [HB15-1179](#)

Title: Third Party Medicaid Payment Responsibility System

Status House Committee on Public Health Care & Human Services Postpone Indefinitely (02/13/2015)

Senate Sponsors

House Sponsors [J. Joshi](#) (R)

Official Summary The department of health care policy and financing (department) has an enforceable right and a lien right against third parties responsible for a Medicaid recipient's health care costs when the department has provided Medicaid moneys for those costs. The bill creates a system through which the department can determine whether a third party has responsibility for any portion of a Medicaid recipient's health care costs. The system requires the department to commence any action to recover moneys within 2 years after the date of the accident or event causing the injury to the Medicaid recipient. The system does not apply to insurance policies that do not pay for bodily injury, claims for property damage or loss of use of property, claims made against accident and health policies, whether expense incurred or indemnity, and all workers' compensation claims.

The system requires that prior to paying \$2,000 or more on behalf of or to a claimant on a claim under a contract of insurance, every covered insurer shall exchange information with the department through a data matching process with one or more insurers using automated data

Bill: [HB15-1214](#)

Title: Abuse-deterrent Opioid Analgesic Drugs

Status Governor Signed (05/11/2015)

Senate Sponsors [J. Cooke](#) (R)

House Sponsors [J. Singer](#) (D)

Official Summary The bill prohibits an opioid analgesic drug product that is not abuse-deterrent to be substituted for an abuse-deterrent opioid analgesic drug product if a health care provider prescribes an abuse-deterrent opioid analgesic drug product to a patient and the prescription includes the instructions dispense as written. A carrier must cover the abuse-deterrent opioid analgesic drug product at the lowest cost-sharing level as an opioid analgesic drug product. A carrier cannot require treatment failure with an opioid analgesic drug product that is not abuse-deterrent prior to providing coverage for the abuse-deterrent opioid analgesic drug product if the prescribing health care provider determines that the covered person would benefit from the abuse-deterrent opioid analgesic drug product.

Position Monitor

Comment

Bill: [HB15-1232](#)

Title: Emergency Use Of Epinephrine Auto-injectors

Status Governor Signed (05/14/2015)

Senate Sponsors [M. Merrifield](#) (D)

[N. Todd](#) (D)

[B. Martinez Humenik](#) (R)

House Sponsors [J. Ginal](#) (D)

[L. Landgraf](#) (R)

Official Summary The bill permits entities and organizations other than schools to acquire and stock epinephrine auto-injectors. A health care practitioner may prescribe, and a health care practitioner or pharmacist may dispense, epinephrine auto-injectors in the name of an authorized entity where allergens capable of causing anaphylaxis may be present. Each employee, agent, or other individual of the authorized entity must complete a training program before using an epinephrine auto-injector. A trained employee, agent, or other individual of the authorized entity may either provide or administer an epinephrine auto-injector to a person who the employee, agent, or other individual believes in good faith is experiencing anaphylaxis.

An authorized entity may keep an emergency public access station

Bill: [HB15-1238](#)

Title: Tax Credit Preceptors Health Professional Shortage Areas

Status House Committee on Appropriations Postpone Indefinitely (04/22/2015)

Senate Sponsors [J. Cooke](#) (R)

House Sponsors [P. Buck](#) (R)

Official Summary For income tax years commencing on or after January 1, 2015, but prior to January 1, 2022, the bill grants a preceptor, or a noncompensated health care professional in one of a number of specialized fields of health care practice, who personally provides a mentoring experience of personalized instruction, training, and supervision representing a full clinical rotation to an advanced graduate student seeking a professional degree in one of these fields, a credit against the state income tax in amounts specified in the bill for a tax year in which the preceptor undertakes such work in a health professional shortage area. The tax credit is increased if a portion of the preceptor's health care practice consists of a certain percentage of Medicaid patients during the particular tax year as specified in the bill.

The bill imposes an aggregate limit on the amount of the credit to be awarded any one taxpayer for any one income tax year.

The bill specifies the manner in which the taxpayer is required to apply for the credit and procedures to be followed if a preceptor fails to satisfy the requirements of the bill for a particular tax year.

If the amount of the credit allowed exceeds the amount of the income tax otherwise due, the bill allows the balance to be carried forward and applied against the income tax due in each of the 5 succeeding income tax years.

Position Support

Comment

Bill: [HB15-1242](#)

Title: Patient Caregiver Designation Hospital Requirement

Status Governor Signed (05/08/2015)

Senate Sponsors [I. Aguilar](#) (D)

House Sponsors [J. Danielson](#) (D)

Official Summary The bill requires each general hospital to give each patient or the patient's legal guardian the opportunity to designate a caregiver within 24 hours after the patient's admission to the hospital and prior to the patient's release from the hospital or transfer to another facility. The hospital is required to:

- Record the designation of the caregiver in the patient's

Bill: [HB15-1281](#)

Title: Newborn Heart Defect Screening Pulse Oximetry

Status Governor Signed (05/29/2015)

Senate Sponsors [M. Hodge](#) (D)

House Sponsors [D. Primavera](#) (D)

Official Summary The bill requires all newborns born in a birthing center that is below an elevation of 7,000 feet to be screened for congenital health defects using pulse oximetry prior to the infant leaving the health facility. The state board of health is required to promulgate rules for pulse oximetry at birthing centers at or above 7,000 feet when the board receives confirmation of appropriate calibration of pulse oximetry instruments. The bill requires each birthing facility to report the results of the screening to the department of public health and environment and allows the state board of health to promulgate rules.

Position Monitor

Comment

Bill: [HB15-1282](#)

Title: Crimes Of Deception & Lying In Birth Certificates

Status Governor Signed (06/05/2015)

Senate Sponsors [L. Newell](#) (D)

House Sponsors [L. Saine](#) (R)

Official Summary The bill makes it a class 2 misdemeanor for a birth parent to intentionally omit material information regarding his or her own personal data for use in the preparation of an original birth certificate registering the birth of a child. Material information is defined as the name of a birth parent, the birth date of a birth parent, the mother's maiden name prior to a first marriage, if applicable, and the place of birth of a birth parent. If the birth parent intentionally omits material information in the preparation of a birth certificate for the purpose of obtaining or creating identification documents to assist in the commission of human trafficking, the penalty for the crime is enhanced to a class 1 misdemeanor.

The bill creates a crime of submitting false information for the preparation of a birth certificate if a person knowingly:

- Creates a false record for use in the preparation of an original birth certificate or an amended birth certificate; or
- Supplies false information about material information, knowingly submits the wrong name of a birth parent, or knowingly submits a fictitious name of a birth parent for use in the preparation of an original birth certificate or an

Bill: [HB15-1351](#)

Title: Limitation On Mental Health Disciplinary Actions

Status Senate Committee on Health & Human Services Postpone Indefinitely (05/04/2015)

Senate Sponsors [V. Marble](#) (R)

House Sponsors [J. Melton](#) (D)

Official Summary The bill requires that any complaint filed with the division of professions and occupations in the department of regulatory agencies against a mental health professional alleging a violation of billing or maintenance of records must be commenced within 7 years after the alleged act or failure to act giving rise to the complaint.

Position Monitor

Comment

Bill: [HB15-1352](#)

Title: Naturopathic Doctor Formulary Changes

Status Governor Signed (06/05/2015)

Senate Sponsors [L. Crowder](#) (R)

[L. Newell](#) (D)

House Sponsors [J. Ginal](#) (D)

[K. Conti](#) (R)

Official Summary Under current law, a registered naturopathic doctor (ND) may use antiseptics and local anesthetics in connection with performing minor office procedures, such as repair and care of superficial lacerations and abrasions. This authority under current law does not permit an ND to administer local anesthetics by injection. Additionally, an ND's authority to prescribe, administer, and dispense medications is limited to epinephrine to treat anaphylaxis and barrier contraceptives.

With regard to specified medications, the bill expands the authority of NDs to:

- Obtain a medication from a registered or licensed wholesaler, manufacturer, or prescription drug outlet;
- Administer, which includes direct application of the medication to the patient; and
- Dispense, which includes properly packaging and providing the medication to the patient for subsequent administration.

The expanded authority applies to the following actions and medications:

- Obtaining and administering saline, sterile water, topical

Bill: [HB15-1360](#)

Title: Acupuncturists Practice Injection Therapy

Status Governor Signed (06/05/2015)

Senate Sponsors [K. Lundberg](#) (R)

House Sponsors [J. Ginal](#) (D)

Official Summary The bill allows acupuncturists to practice injection therapy to treat patients. Injection therapy is defined as the injection of sterile herbs, vitamins, minerals, homeopathic substances, or other similar substances into acupuncture points by means of hypodermic needles. Prior to practicing injection therapy, an acupuncturist must receive the necessary training as determined by the director of the division of professions and occupations (director).

The bill allows acupuncturists to obtain substances for injection therapy from a registered prescription drug outlet, registered manufacturer, or registered wholesaler.

The director is required to promulgate rules concerning injection therapy.

Position Monitor

Comment

Bill: [HB15-1368](#)

Title: Cross-system Response Pilot Intellectual Developmental Disabilities

Status Governor Signed (06/05/2015)

Senate Sponsors [K. Grantham](#) (R)

House Sponsors [D. Young](#) (D)

Official Summary **Joint Budget Committee.** The bill establishes the cross-system response for behavioral health crises pilot program (pilot program) to provide crisis intervention, stabilization, and follow-up services to individuals who have both an intellectual or developmental disability and a mental health or behavioral disorder and who also require services not available through an existing home- or community-based services waiver or not covered under the Colorado behavioral health care system. The pilot program will begin on or before March 1, 2016, and will consist of multiple sites that represent different geographic areas of the state. The pilot program shall:

- Provide access to intensive coordinated psychiatric, behavioral, and mental health services as an alternative to emergency department care or in-patient hospitalization;
- Offer community-based, mobile supports to individuals with dual diagnoses and their families;

Bill: [HB15-1389](#)

Title: Create New Hospital Provider Fee Enterprise

Status Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
(05/05/2015)

Senate Sponsors [P. Steadman](#) (D)

House Sponsors [D. Hulinghorst](#) (D)

[L. Court](#) (D)

Official Summary The bill creates the health care affordability enterprise (enterprise) as a **type 2** agency and government-owned business within the department of health care policy and financing (HCPF) for the purpose of charging and collecting a new hospital provider fee that replaces the existing hospital provider fee and participating in the implementation and administration of the state hospital provider fee program (program) created by the Health Care Affordability Act of 2009 on and after July 1, 2016. The bill does not take effect if the federal centers for Medicare and Medicaid services determine that it does not comply with federal law. The enterprise is designated as an enterprise for purposes of the taxpayer's bill of rights (TABOR) so long as it meets TABOR requirements. The primary powers and duties of the enterprise are to:

- Charge and collect a new hospital provider fee;
- Leverage new hospital provider fee revenue collected to obtain federal matching money, working with or through HCPF and the state medical services board to the extent required by federal law or otherwise necessary; and
- Expend money from a newly created new hospital provider fee cash fund for the purposes of the program;
- Issue revenue bonds payable from its revenues;
- Enter into agreements with HCPF as necessary to collect and expend new hospital provider fee revenue;
- Engage the services of private consultants and legal counsel; and
- Adopt and amend or repeal policies for the regulation of its affairs and the conduct of its business.

The powers, duties, and functions of the existing hospital provider fee oversight and advisory board (advisory board) are transferred, by a **type 3** transfer, to the enterprise on July 1, 2016, and the advisory board is abolished. The current members of the advisory board continue to serve as members of the enterprise board, and future enterprise board appointments are done in the same way as current advisory board appointments.

The bill specifies that unlike hospital provider fees charged and collected by HCPF before July 1, 2016, so long as the enterprise qualifies

SENATE BILLS

Bill: [SB15-005](#)

Title: Medical Testing For 1st Degree Assault

Status Governor Signed (04/16/2015)

Senate Sponsors [J. Cooke](#) (R)

House Sponsors [M. Foote](#) (D)

Official Summary Current law provides that certain persons charged with or convicted of second or third degree assault are required to undergo testing for communicable diseases. The bill expands the testing to a person charged with or convicted of first degree assault if the person's blood, seminal fluid, urine, feces, saliva, mucus, or vomit came into contact with a peace officer, firefighter, emergency medical care provider, or emergency medical service provider.

Position Monitor

Comment

Bill: [SB15-011](#)

Title: Pilot Program Spinal Cord Injury Alternative Medicine

Status Sent to the Governor (05/14/2015)

Senate Sponsors [N. Todd](#) (D)

House Sponsors [D. Primavera](#) (D)

Official Summary The bill extends the repeal date for the pilot program providing complementary and alternative medicine to certain individuals with spinal cord injuries. The bill specifies that a minimum of 100 eligible persons must be permitted to participate in the pilot program, and vacancies in enrollment may be filled at any point in the fiscal year. In addition, the bill extends the date for the independent evaluation of the pilot program.

Position Monitor

Comment

Bill: [SB15-015](#)

Title: Mental Health Parity For Autism Spectrum Disorders

Status Governor Signed (04/16/2015)

Senate Sponsors [J. Kefalas](#) (D)

House Sponsors [D. Primavera](#) (D)

Official Summary The bill includes autism spectrum disorders in the state's mental health parity law and repeals a provision that specifies that autism is not to be treated as a mental illness for purposes of health care coverage.

Bill: [SB15-031](#)

Title: Reciprocity To Practice Occupation Or Profession

Status Senate Committee on Business, Labor, & Technology Postpone Indefinitely (01/28/2015)

Senate Sponsors [O. Hill](#) (R)

House Sponsors

Official Summary Current law allows a military spouse to practice an occupation or profession during the person's first year of residence in Colorado if the person is authorized to practice in another state, there is no basis to disqualify the person from practice, and the person consents to the jurisdiction of the disciplinary authority of the appropriate agency. The bill expands this practice to all persons during their first year of residence in Colorado.

Position Monitor

Comment This does not apply to physicians

Bill: [SB15-053](#)

Title: Dispense Supply Of Emergency Drugs For Overdose Victims

Status Governor Signed (04/06/2015)

Senate Sponsors [I. Aguilar](#) (D)

House Sponsors [E. McCann](#) (D)

[S. Lontine](#) (D)

Official Summary Under current law, physicians, physician assistants, and advanced practice nurses with prescriptive authority (collectively referred to as licensed prescribers), as well as pharmacists (licensed dispensers), are not subject to civil or criminal liability or professional discipline when they prescribe or dispense an opiate antagonist in a good-faith effort to assist an individual experiencing an opiate-related drug overdose event or to assist a friend, family member, or other person who is able to provide assistance to an individual who may experience an opiate-related drug overdose event.

The bill allows licensed prescribers to prescribe, and licensed dispensers to dispense, an opiate antagonist, either pursuant to a direct prescription order or in accordance with standing orders and protocols, to:

- An individual at risk of experiencing an opiate-related drug overdose event;
- A family member, friend, or other person in a position to assist an at-risk individual;
- An employee or volunteer of a harm reduction organization; or

Bill: [SB15-067](#)

Title: Second Degree Assault Injury To Emergency Responders

Status Sent to the Governor (05/18/2015)

Senate Sponsors [J. Cooke](#) (R)

House Sponsors [J. Joshi](#) (R)

Official Summary The bill increases the class of offense from assault in the third degree to assault in the second degree for the commission of the following acts:

- Intentionally causing bodily injury to a person whom the actor knows or reasonably should know is an emergency medical care provider and with the intent to prevent the person from performing a lawful duty; and

- With the intent to infect, injure, harm, harass, annoy, threaten, or alarm another person whom the actor knows or reasonably should know to be engaged in the performance of his or her duties as a peace officer, a firefighter, an emergency medical care provider, or an emergency medical service provider, causing the person to come in contact with blood, seminal fluid, urine, feces, saliva, mucus, vomit, or any toxic, caustic, or hazardous material by any means.

Position Monitor

Comment

Bill: [SB15-071](#)

Title: Pharmacists Substitute Interchangeable Biological Drug

Status Governor Signed (04/03/2015)

Senate Sponsors [C. Jahn](#) (D)

[O. Hill](#) (R)

House Sponsors [E. McCann](#) (D)

[L. Landgraf](#) (R)

Official Summary Current law permits a pharmacist to substitute an equivalent drug product for a prescribed drug if the substituted drug is the same generic drug type as the prescribed drug and the pharmacist determines that the substituted drug is therapeutically equivalent to and interchangeable with the prescribed drug. While a pharmacist may substitute chemical drugs, current law does not allow a pharmacist to substitute biological drug products.

The bill allows a pharmacist to substitute a biological product if the federal food and drug administration (FDA) has determined that the

Bill: [SB15-074](#)

Title: Transparency In Direct Pay Health Care Prices

Status House Committee on State, Veterans, & Military Affairs Postpone Indefinitely (03/16/2015)

Senate Sponsors [T. Neville](#) (R)

House Sponsors [J. Joshi](#) (R)

Official Summary The bill creates the Transparency in Health Care Prices Act, which requires health care professionals and health care facilities to make available to the public the direct pay prices they assess for common health care services they provide. Health care professionals and facilities are not required to submit their direct pay prices to any government agency for review or approval. Additionally, the act prohibits health insurers and health systems from penalizing a person who pays directly for health care services. Any Colorado citizen may seek injunctive relief against the person allegedly violating the act, and the prevailing party is entitled to reasonable attorney fees and costs.

Position Oppose

Comment If physicians are amended out of the bill, position changes to monitor.

Bill: [SB15-077](#)

Title: Parent's Bill of Rights

Status House Committee on Public Health Care & Human Services Postpone Indefinitely (03/17/2015)

Senate Sponsors [T. Neville](#) (R)

House Sponsors [P. Neville](#) (R)

Official Summary The bill establishes a parent's bill of rights that sets forth specific parental rights related to education, health care, and mental health care of minor children.

Position Oppose

Comment

Bill: [SB15-109](#)

Title: Mandatory Abuse Report For Adult With A Disability

Status Sent to the Governor (05/14/2015)

Senate Sponsors [K. Grantham](#) (R)

House Sponsors [D. Young](#) (D)

Official Summary **Joint Budget Committee.** Under current law, certain persons are required to report to a law enforcement agency if the person observes or has reason to believe that a person 70 years of age or older has been

Bill: [SB15-116](#)

Title: Needle-stick Prevention

Status Governor Signed (04/03/2015)

Senate Sponsors [P. Steadman](#) (D)

House Sponsors [A. Garnett](#) (D)

Official Summary The bill creates an exception to arrest and filing charges for the crime of possession of drug paraphernalia if the person prior to being searched by a peace officer informs the peace officer that he or she has a needle, syringe, or other sharp object on his or her person or in his or her vehicle or home that is subject to a search. The exception to arrest and filing charges also applies to the crime of possession of a controlled substance as it relates to any residual controlled substance that may be found in a used needle, syringe, or other sharp object.

The bill directs clean syringe exchange programs to develop an education program regarding the legal rights under that program and the immunity provisions created in this bill.

Position Monitor

Comment

Bill: [SB15-125](#)

Title: Statewide Registry For Advance Directives

Status Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely (02/09/2015)

Senate Sponsors [P. Steadman](#) (D)

House Sponsors

Official Summary On and after January 1, 2016, the department of public health and environment (department) shall maintain a statewide registry of advance directives (registry), including an internet web site. Advance directive means:

- A declaration as to medical treatment;
- A medical durable power of attorney;
- A directive relating to cardiopulmonary resuscitation;
- A medical orders for scope of treatment form;
- A designated beneficiary agreement; or
- Any legal form of these types that has been properly

executed in another state in accordance with the laws of that state.

On or before November 1, 2015, the department shall promulgate rules to administer the registry.

Each county clerk and recorder shall enter each recorded

Bill: [SB15-126](#)

Title: Medical Tests For All Assault Victims

Status Governor Signed (04/16/2015)

Senate Sponsors [J. Cooke](#) (R)

[M. Johnston](#) (D)

House Sponsors [M. Foote](#) (D)

Official Summary Under certain provisions of second and third degree assault, current law requires certain persons to undergo tests of the person's bodily fluid to determine if the person has a communicable disease if the person's bodily fluid came into contact with a peace officer, firefighter, emergency medical care provider, or emergency medical service provider. Another bill expands this provision to such persons under first degree assault.

The bill expands these provisions to cover any violation of second or third degree assault and requires the test if the person's bodily fluid came into contact with a victim of the assault.

Position Monitor

Comment

Bill: [SB15-128](#)

Title: Medical Reports Of Alleged Sexual Assaults

Status Governor Signed (03/30/2015)

Senate Sponsors [M. Carroll](#) (D)

House Sponsors [D. Primavera](#) (D)

[L. Landgraf](#) (R)

Official Summary Current law requires a medical facility to report to law enforcement when certain medical personnel collect medical forensic evidence of a sexual assault (evidence) if the victim consents. The bill adds nurses to the medical personnel. The bill requires the report to be:

- A law enforcement report if the victim requests that the evidence be collected and at the time of the medical treatment chooses to participate in the criminal justice system;
- A medical report if the victim requests that the evidence be collected but at the time of the medical treatment chooses not to participate in the criminal justice system; or
- An anonymous report if the victim consents to the collection of the evidence but at the time of the medical treatment chooses not to have personal identifying information disclosed to law enforcement or to participate

Bill: [SB15-174](#)

Title: Uniform Substitute Decision-making Docs Act

Status Senate Committee on Judiciary Postpone Indefinitely (02/24/2015)

Senate Sponsors [P. Steadman](#) (D)

House Sponsors

Official Summary **Colorado Commission on Uniform State Laws.** The bill adopts, with amendments, the Uniform Substitute Decision-making Documents Act as Colorado law.

The bill establishes the circumstances under which a substitute decision-making document (document) executed outside this state is valid in this state. A person may assume in good faith that a document is genuine, valid, and still in effect and that the decision-maker's authority is genuine, valid, and still in effect.

A person who is asked to accept a document shall do so within a reasonable amount of time. The person may not require an additional or different form of document for authority granted in the document presented. A person who refuses to accept a substitute document is subject to:

- A court order mandating acceptance of the document; and
- Liability for reasonable attorney's fees and costs incurred in an action or proceeding that mandates acceptance of the document.

A person is not required to accept a substitute document under certain described conditions.

Position Monitor

Comment

Bill: [SB15-192](#)

Title: Therapeutic Drug Selections For Long-term Care

Status Sent to the Governor (05/11/2015)

Senate Sponsors [I. Aguilar](#) (D)

House Sponsors [J. Joshi](#) (R)

Official Summary The bill authorizes a licensed pharmacist to provide therapeutic alternate drug selections, either a therapeutic interchange selection or a therapeutically equivalent selection, as those terms are defined, to a patient if, during the patient's stay at a licensed nursing care facility or a long-term acute care hospital, the selection has been approved:

- In accordance with written guidelines and procedures for making therapeutic alternate drug selections as developed by the nursing care facility or the long-term acute care

Bill: [SB15-197](#)

Title: Advanced Practice Nurse Prescriptive Authority

Status Governor Signed (05/18/2015)

Senate Sponsors [L. Crowder](#) (R)

[C. Jahn](#) (D)

House Sponsors [R. Fields](#) (D)

[Y. Willett](#) (R)

Official Summary Current law requires an advanced practice nurse to complete 1,800 hours of prescribing in a preceptorship and to complete 1,800 hours of prescribing in a mentorship in order to achieve full prescriptive authority. The bill reduces the requirement to achieve full prescriptive authority to 1,000 practice hours.

Current law requires a licensed physician to mentor an advanced practice nurse. The bill allows the role of mentor to be filled by an advanced practice nurse with prescriptive authority and the same role and population focus as the applicant.

Current law prescribes the applicant's interaction with the preceptor and the mentor. The bills allows synchronous remote collaboration during the mentorship.

Current law requires completion of 1,800 hours in a preceptorship to obtain provisional prescriptive authority. The bill allows provisional prescriptive authority upon graduation and passage of the certification examination.

Position Support

Comment

Bill: [SB15-228](#)

Title: Medicaid Provider Rate Review

Status Sent to the Governor (05/14/2015)

Senate Sponsors [P. Steadman](#) (D)

House Sponsors [B. Rankin](#) (R)

Official Summary **Joint Budget Committee.** The bill establishes a process for the department of health care policy and financing (department) to review provider fee rates. It requires the department to establish a schedule of rates to be reviewed so that every rate is reviewed every 5 years. It authorizes out-of-cycle review of rates at the request of the joint budget committee (JBC) or the Medicaid provider rate review advisory committee (committee) established pursuant to the bill.

In reviewing rates, the department first conducts an analysis of the access, services, quality, and utilization of the service and provides a

Bill: [SB15-259](#)

Title: Out-of-network Health Care Provider Charges

Status Senate Committee on Business, Labor, & Technology Postpone Indefinitely (04/20/2015)

Senate Sponsors [I. Aguilar](#) (D)

House Sponsors [S. Lontine](#) (D)

Official Summary The bill requires a health care provider who provides out-of-network covered services at an in-network facility or emergency services to:

- Submit a claim for the entire cost of the services to the covered person's health insurance carrier;
- Not collect payment from the covered person except for a deductible, copayment, or coinsurance; and
- Not balance bill the covered person but instead submit a demand for the remaining amount of the bill to the health insurance carrier and attempt to negotiate payment, if necessary.

The bill requires a health insurance carrier to provide written notice of the covered person's out-of-network obligations. The health care facility must inform the covered person about the legal protections against balance billing. A failure to provide disclosure is a deceptive trade practice.

Position Oppose

Comment

Bill: [SB15-262](#)

Title: Blanket Sickness And Accident Insurance

Status Sent to the Governor (05/18/2015)

Senate Sponsors [T. Neville](#) (R)

House Sponsors [A. Williams](#) (D)

Official Summary The bill updates the current Colorado law with respect to blanket sickness and accident insurance by expanding and clarifying the types of groups that can obtain blanket sickness and accident insurance. The bill also expands and clarifies the scope of the insurance commissioner's discretionary authority to approve different types of permitted coverage groups.

Position Monitor

Comment

Bill: [SB15-265](#)

Title: Health Insurance Hospital Liens

Status Sent to the Governor (05/14/2015)

Senate Sponsors [B. Cadman](#) (R)

House Sponsors [D. Hullinghorst](#) (D)

Official Summary The bill requires a hospital to submit charges for hospital care and services to a patient's payer of benefits, as defined in the bill, before a lien for hospital care is created.

Position Monitor

Comment

Bill: [SB15-268](#)

Title: Offenses Against Unborn Children

Status House Committee on State, Veterans, & Military Affairs Postpone Indefinitely (05/04/2015)

Senate Sponsors [B. Cadman](#) (R)

House Sponsors [P. Lawrence](#) (R)

Official Summary The bill defines person for the purposes of homicide and assault offenses as a human being and includes an unborn child at every stage of gestation from conception until live birth. For purposes of a prosecution of a homicide or assault offense, the bill does not apply to:

- An act committed by the mother of her unborn child;
- A medical procedure performed by a physician or other licensed medical professional at the request of a mother of her unborn child or the mother's legal guardian; or
- The lawful dispensation or administration of lawfully prescribed medication.

Position Monitor

Comment

Bill: [SB15-285](#)

Title: A Woman's Right To Accurate Healthcare Information

Status Senate Committee on Health & Human Services Postpone Indefinitely (04/30/2015)

Senate Sponsors [T. Neville](#) (R)

House Sponsors [L. Saine](#) (R)

[P. Neville](#) (R)

Official Summary The bill requires that accurate ultrasound and medical information be provided by a physician to a woman who may be considering the

