

2019 Legislative Report





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Letter From the President

Dear Health Care Leader,

Following the November 2018 elections, the first session of the 72nd General Assembly was widely expected to be a significant departure from sessions of years past. Voters sent a clear signal in the election by placing the Democratic party in control of the state; electing one party to every statewide elected office *and* giving them majorities in both the House and Senate for the first time since 1936.

As the session opened and the newly elected officials took office, expectations came to fruition, and it was clear the issue of health care affordability would be front and center for the 120-day session. Legislators and the new governor all had ambitious plans for addressing the cost of health care services and insurance, which included bringing back several pieces of health care legislation that failed in previous years. These bills included efforts to lower the cost of insurance premiums, protecting consumers from out-of-network and “surprise” bills and dramatically expanding hospital financial transparency. Colorado Hospital Association (CHA) worked with sponsors, stakeholders and member hospitals and health systems to ensure that these bills would achieve their intended objectives while protecting critical hospital operations.

In addition to the priorities identified by policymakers, CHA brought forward an ambitious agenda, including bills that will help hospitals focus on providing the best possible patient outcomes by reducing regulatory burden and improving statewide health care infrastructure that supports efficient and effective patient care. I’m proud to report that we were able to accomplish many of the priority objectives set

forth by the CHA Board of Trustees, including renewal of the Colorado Professional Review and the Medical Practice Acts, creating a statewide registry for advance directives and developing a new facility licensure category for freestanding emergency departments.

While we made significant progress in collaboration with the new administration, legislative leaders and partner organizations, we are also realistic that health care and health care affordability will continue to be major themes at the capitol next year as well, and we should expect hospitals will again be a focus of attention. As such, CHA and its members must continue to be thought leaders and good partners on the most pressing health care challenges facing our state in order to ensure Colorado continues to strive for high-quality, accessible and affordable health care.

Sincerely,



Steven J. Summer
PRESIDENT AND CEO | COLORADO HOSPITAL ASSOCIATION

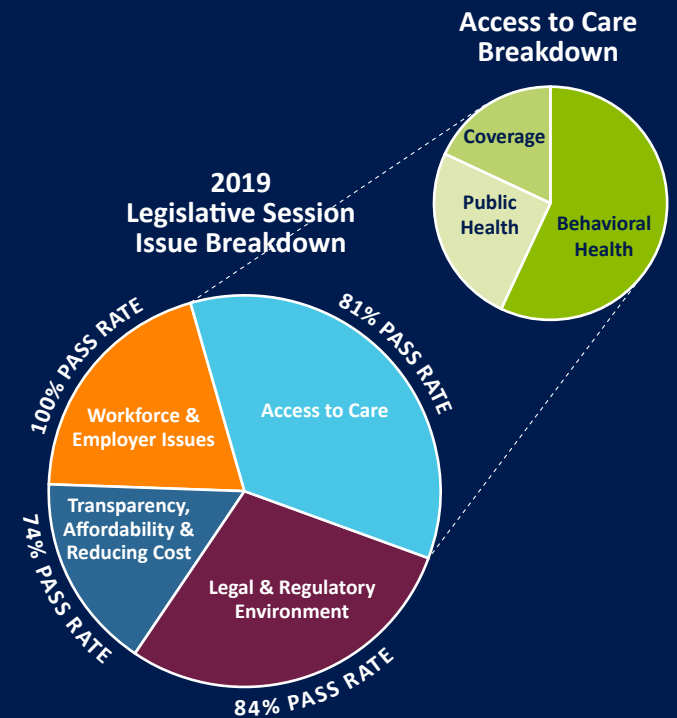


Introduction

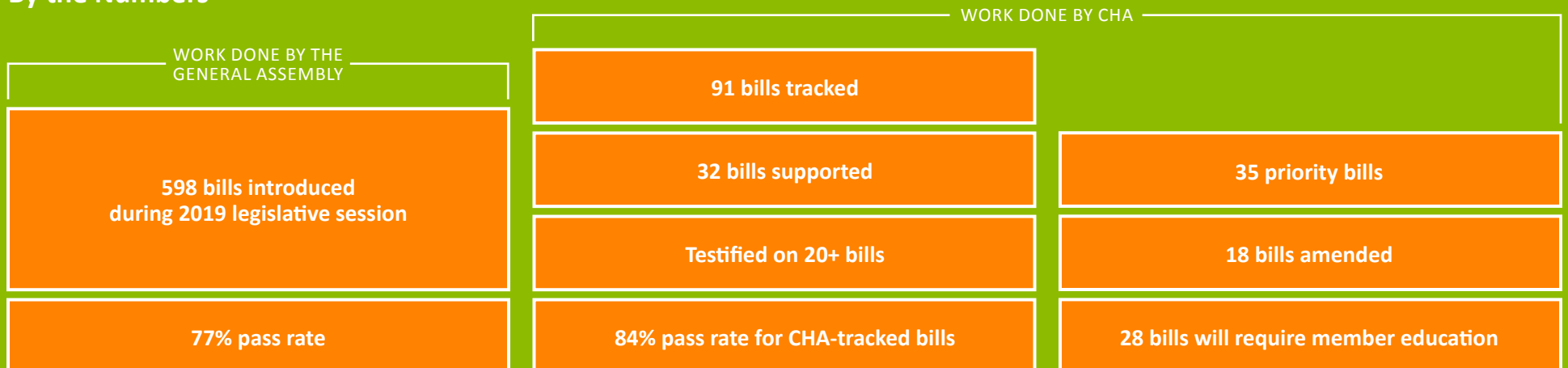
This session was tremendously busy for the General Assembly, which saw 598 bills introduced in just 120 days. With Democrats in full control, the pass rate for legislation was much higher when compared to recent years – nearly 80 percent in 2019, compared to rates closer to 60 percent in recent years – and legislation often moved rapidly through the process, creating quick turn-arounds and applying tight pressure to stakeholder input and negotiations. CHA also faced a difficult atmosphere at the capitol where traditional coalition-building was scarce. Consumer groups, payers, providers and the administration all pursued policies adverse to hospitals, and many were willing to let hospitals take the blame for health care’s current failures.

With health care at the forefront of much of this session, CHA engaged on 91 bills across four major categories: transparency, affordability and reducing costs; health care workforce and employer regulations; Colorado’s changing legal and regulatory environments; and expanding access to care. As has been the case for some time, hospitals were the face of health care in Colorado. Hospitals had to navigate a challenging setting where single-party control with an aggressive progressive agenda meant some forced compromises on proposals that CHA had vigorously fought in previous years.

Knowing that hospitals will face many of these same circumstances and challenges again next session, CHA is refining its approach to ensure the Association can maintain its position as the voice of Colorado hospitals and best represent member interests in legislative work at the capitol.



2019 Legislative Session By the Numbers



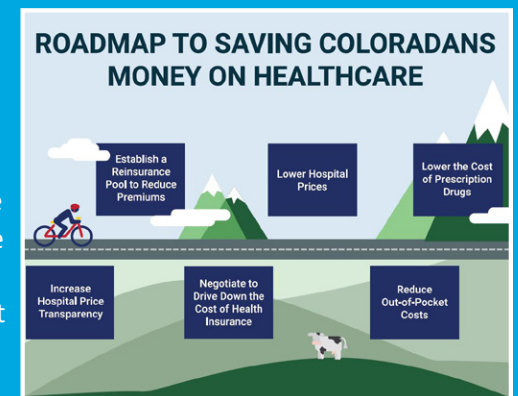


Transparency, Affordability and Reducing Costs

The issues of health care transparency and affordability have been gaining prominence at the capitol the past few years and, driven by last fall's political campaigns, reached a fever pitch during the 2019 legislative session. Governor Polis highlighted these as top-priority issues during his State of the State address in January and cemented his administration's focus on reducing health care costs by creating the Office of Saving People Money on Health Care.

A New Kind of Administration

Gov. Polis made his intentions to reduce health care costs clear early in his administration, announcing the Office of Saving People Money on Health Care just two days into his term. The office, headed by Lt. Gov. Dianne Primavera, aims to “reduce patient costs for hospital stays and expenses, improve price transparency, lower the price of prescription drugs, and make health insurance more affordable.” In conjunction with the office, Gov. Polis laid out his health care policy objectives with the unveiling of his roadmap to saving people money on health care, which includes increasing hospital transparency and lowering prices, establishing a reinsurance pool and reducing out of pocket costs for consumers. Each of the roadmap items is intended to address his repeated public claims that Coloradans are being “ripped off on health care.” In comparison to the previous gubernatorial administration, the Polis administration took a very hands-on approach to health care policy this session with a directive approach to certain pieces of legislation and active engagement with legislators to ensure its top priority issues were addressed.



FROM COLORADO.GOV

Partnering with Polis on Affordability

While CHA and its member hospitals and health systems share the Polis administration's commitment to improving health care affordability in Colorado, there are vast differences on how to achieve meaningful cost reductions while also balancing access and quality. In a letter sent to the governor in February, CHA emphasized this commitment by thoughtfully laying out its immediate and long-term affordability focal points, developed in partnership with its members.



Transparency, Affordability and Reducing Costs continued

High Cost of Health Insurance

As has been the case in previous legislative sessions, the high cost of health insurance was once again a key focus for the General Assembly this year. And while much of the rhetoric centered on increasing competition in the private insurance market, all four bills passed in this category present a strong role for government. The first bill ([Senate Bill \(SB\) 19-004](#)) aims to increase the options for individuals, businesses and small groups to band together to negotiate direct contracts with hospitals and providers by updating state laws governing health care cooperatives. [House Bill \(HB\) 19-1004](#) directs the state to study and submit a proposal for a public option to compete alongside private insurance, making Colorado one of just two states in the nation currently pursuing a state-based public option. Another, broader bill calls for a study over the interim

to conceptually compare the pros and cons of the current private insurance system, a multi-payer universal health care system and a publicly financed and privately delivered universal health care system ([HB 19-1176](#)).

The most publicized effort to address the cost of insurance in 2019 was the establishment of a state reinsurance program, which essentially provides insurance for insurance companies to help cover the costs of caring for the most expensive patients. [HB 19-1168](#) differed greatly from reinsurance discussions from the past three years, and proponents were ultimately forced to piece together multiple funding sources and dramatically scale back the program. CHA fought vociferously to amend the bill and ultimately took a neutral position on the legislation as passed.



Transparency, Affordability and Reducing Costs continued

The Colorado Approach to Reinsurance

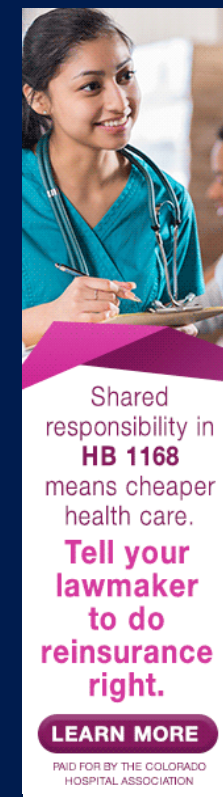
In recent years, seven states have established their own reinsurance programs with permission from the federal government. Six of the seven are funded partially or fully through assessments on insurance carriers – similar to the federal program created by the Affordable Care Act and in operation from 2014 to 2016 – and the seventh is funded fully through state funding.¹ The Colorado legislature directed the Colorado Division of Insurance (DOI) to study reinsurance in 2017, the conclusion of which was to seek a “broad based” funding mechanism. The legislature never acted on the 2017 study but, in 2019, the Polis administration and several western slope legislators announced a different “Colorado Approach” to reinsurance, which was to be funded through payment cuts to doctors and hospitals treating patients insured through the individual market – some cuts as much as 40 percent.

While CHA is supportive of reinsurance as a concept, the proposed cuts to hospital reimbursement were untenable, and the Association enacted an opposition campaign targeting legislators to “do reinsurance right” by including a broad-based funding mechanism and not placing the full burden on hospitals. This effort centered around a digital campaign that achieved high infiltration at the capitol via social media ads and a website dedicated to the issue. In total, the campaign achieved 2.9 million impressions and more than 3,100 page views.

As the bill advanced, the federal government signaled the rate-setting approach may not be approved, and a fallback plan was developed using an assessment against hospitals totaling \$500 million over five years. This approach was approved by the House and sent to the Senate for debate when a legal opinion obtained by a CHA member demonstrated the hospital assessment would likely violate federal law, putting the state’s federal Medicaid match and the CHASE Fee at risk – which could have cost the state \$2.4 billion per year.

In the final weeks of session, rather than shift to the more traditional funding mechanism used by the federal government and six other states, the administration and legislative sponsors announced a significantly scaled-back version of the program from five to two years, paid for through an amalgamation of funding sources, including considerable federal funds and a \$40 million annual assessment on Colorado hospitals. The bill was passed in the final hours of the legislative session, and the DOI is now working on an accelerated timeline to submit the necessary federal waiver in hopes of gaining approval and standing up the reinsurance program for the 2020 plan year.

¹ <https://www.kff.org/health-reform/fact-sheet/tracking-section-1332-state-innovation-waivers/>



Transparency, Affordability and Reducing Costs continued

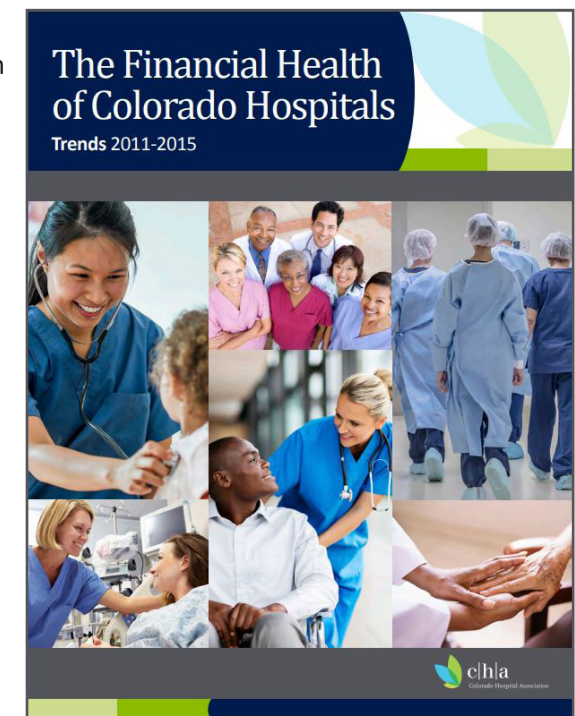
Improving Consumer Financial Protections and Resolving “Surprise Billing”

From start to finish this legislative session, legislators set their sights on efforts to protect consumers from large – and sometimes unexpected – medical bills. Competing bills ([HB 19-1174](#) and [SB 19-134](#)) were introduced to ensure consumers covered by state-regulated insurance plans are held harmless when they receive treatment from an out-of-network provider at an in-network facility or when they seek emergency services at an out-of-network facility. After more than five years of failing to address “surprise billing,” [HB 19-1174](#) was passed – capping reimbursement to out-of-network providers and facilities – while [SB 19-134](#) failed to advance out of the Senate. The Association focused legislators on the reality of these bills being “surprise denials” from insurers rather than “surprise bills” from health care providers. Ultimately, CHA secured a number of consumer protections in [HB 19-1174](#), including ensuring savings from reduced medical costs are passed directly on to consumers and requiring insurers to apply a consumer’s out-of-network payments to their in-network out-of-pocket maximum, and took a neutral position on the bill.

Three bills aimed to better regulate collection practices for medical debt, including limits on wage garnishment and liens placed on primary residences ([HB 19-1089](#), [HB 19-1145](#) and [HB 19-1189](#)). Ultimately, only [HB 19-1189](#) passed, which places significant restrictions on wage garnishment practices for unpaid medical debt.

Hospital Financial Transparency

While efforts to tackle transparency and affordability in health care were wide-ranging, hospitals were a key target for legislators and the Polis administration. CHA initially opposed but then successfully amended and ultimately supported two bills aimed at improving transparency of hospital financial operations. As the first bill introduced during the 2019 legislative session, [HB 19-1001](#) carries political significance and requires hospitals to submit annual Medicare cost reports and audited financials to the Department of Health Care Policy and Financing (HCPF). It also directs HCPF to issue an annual report similar to the Financial Health of Colorado Hospitals report issued by CHA in 2017.² [HB 19-1320](#) – one of the final bills passed during the 2019 legislative session – requires nonprofit hospitals subject to federal community benefit reporting requirements to submit that information to HCPF for inclusion on a state-run transparency website. A statewide community benefit summary will also be included in the report required by [HB 19-1001](#).



² <https://cha.com/wp-content/uploads/2017/10/Financial-Health-of-Colorado-Hospitals-10-6-2017-S.pdf>

Transparency, Affordability and Reducing Costs continued

CHA Reports on Health Care Affordability

Over the last several months, CHA has voluntarily released two reports examining health care costs in Colorado. The first report, “Affordability in Colorado: Answers About Health Care Costs,”³ which was commissioned by CHA and developed by the Colorado Health Institute, is a question-and-answer document on seven basic, but important questions that often emerge in health policy discussions. The second, “Health Care Costs and Hospitals: Drivers and Opportunities,”⁴ examines a number of the contributing factors to rising health care costs and the potential for improving affordability, including the role of the cost of living in Colorado and its impact on administrative and capital costs for hospitals, the correlation between hospital overhead costs and health insurance premiums and how hospital building and development compares to national trends.

³ <https://cha.com/wp-content/uploads/2018/12/Affordability-in-Colorado-Report.pdf>

⁴ <https://cha.com/wp-content/uploads/2019/01/Health-Care-and-Hospital-Costs-Report-FINAL.pdf>



Pharmaceutical Transparency and Pricing

Another major focus of the legislative session was the cost of prescription drugs. Four major pieces of legislation were debated at the capitol this year, three of which passed. The legislature took direct action to reduce consumer spending on prescription drugs, first by limiting individual cost-sharing for insulin to no more than \$100 for a 30-day supply ([HB 19-1216](#)) and second by directing HCPF to create a program to import and sell prescription drugs from Canada, which will require federal approval ([SB 19-005](#)). More indirectly, [HB 19-1131](#) requires anyone marketing pharmaceuticals to health care providers to disclose the wholesale acquisition cost of the drug, information somewhat analogous to chargemaster transparency and not directly meaningful to consumers.

Finally, the legislature failed to pass a bill that would have required insurers to report a variety of information to the DOI about the cost of pharmaceuticals, including all rebates received from manufacturers ([HB 19-1296](#)). The bill would have also required drug manufacturers to notify the state prior to increasing certain prices and providing justifications for the increases. While the bill died in 2019, a version is expected to return in the 2020 session.

Health Care Workforce and Employer Regulations

Similar to past sessions, issues impacting the health care workforce and employers both in and out of the health care industry were top of mind for legislators. Unlike previous years' efforts, most of these bills made it to the governor's desk in 2019. While some bills sought to strengthen Colorado's health care workforce, many employer-related bills impose significant new regulations on hospitals as employers.



Strengthening Colorado's Health Care Workforce

CHA helped enact the full reauthorization of the Medical Practice Act ([SB 19-193](#)), which governs the practice of medicine in Colorado and is essential to protecting medical professionals and patients. The Medical Practice Act received only minimal modifications and was reauthorized until 2026.

CHA supported three additional bills, all sent to the governor, making noteworthy changes to scopes of practice and practice settings for physician assistants, genetic counselors and emergency medical services providers. Unfortunately, Gov. Polis vetoed licensing for genetic counselors ([SB 19-133](#)), citing the lack of need for state regulation. CHA supported enhanced flexibility in the current physician assistant supervisory requirements as initially adopted by the Colorado Medical Board in 2017, which were codified this year in [HB 19-1095](#). The legislature also endorsed emergency medical service (EMS) providers' practice in a clinical setting – such as a hospital – under the medical supervision of a physician, physician assistant, advanced practice nurse or registered nurse that is immediately available and physically present where the care is being delivered ([SB 19-052](#)). Current law only allows EMS providers to perform pre-hospital care under the medical direction of a physician. The changes made in this bill will enhance Colorado's health care workforce, especially in rural communities.

Finally, with the Association's support, the legislature acted to strengthen the health care workforce by extending tax credits for health care preceptors in rural and underserved areas ([HB 19-1088](#)), enabling advance practice nurses to provide care under the state's workers compensation system ([HB 19-1105](#)) and providing funding to increase the number of behavioral health providers practicing in school-based health centers ([SB 19-010](#)).

Health Care Workforce and Employer Regulations continued

New Law Requires Surgical Smoke Protection Policies in Health Care Facilities

In 2018, CHA successfully defeated legislation that would have required all licensed health care facilities to adopt policies on preventing exposure to surgical smoke in operating rooms based on rules established by the Colorado Department of Public Health and Environment (CDPHE). The Association worked with proponents and hospitals over the interim to assess Colorado hospitals' current efforts to mitigate human exposure to surgical smoke. As a result of this interim work and in an effort to promote workplace safety, CHA was able to help craft and support a bill this year ([HB 19-1041](#)) requiring health facilities that perform surgery to adopt and implement a policy to use a surgical smoke evacuation system by May 2021.



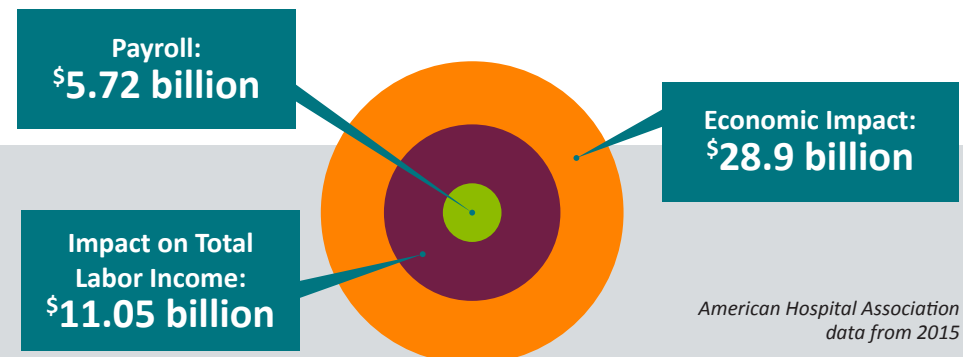
Colorado Imposes New Employer Regulations

Democrats prioritized many employer-related bills that had previously failed under split-party control. Efforts to create a state-run paid Family Medical Leave Insurance Program ([SB 19-188](#)) for all employees was one of the most highly debated employer issues this session, as it would have created a program funded by payroll taxes with an annual budget up to \$2 billion. The business community, including CHA, strongly opposed the introduced version and questioned the financial viability of such a large, and untested, government program. Opponents successfully amended the bill into a study that will assess the feasibility and provide recommendations on standing up such a program in the future. This proposal is likely to resurface in 2020 following the full actuarial analysis.

CHA monitored two bills that passed and create new requirements for employers. The first, often referred to as “ban the box” ([HB 19-1025](#)), prohibits employers from stating in a job posting or on any form of application that a person with a criminal history may not apply and also prohibits an employer from inquiring about an applicant's criminal history on an initial application. The second bill ([SB 19-085](#)) strengthens “equal pay for equal work” regulations by modifying wage discrimination laws and creating new provisions regarding transparency in wages and promotions.

Hospitals Are Top Employers

- **1 in 16** jobs in Colorado is in the health care sector
- Hospitals employ more than **75,500 Coloradans** and generate **183,961 additional jobs** in Colorado
- Hospitals provide **higher paying, highly skilled jobs** for Coloradans



Colorado's Changing Legal and Regulatory Environments

As an industry, health care is increasingly dependent on the legal and regulatory environments of local, state and federal jurisdictions. As other parts of this report demonstrate, the 2019 legislative session brought significant new regulatory requirements for the industry. However, this legislature also helped to create and safeguard a regulatory and legal environment in which hospitals and health care providers can thrive.

Legal Damages and Liabilities

The continuation of the Colorado Professional Review Act (CPRA) was arguably the health care bill with the most significant ramifications considered by the General Assembly in 2019 ([SB 19-234](#)). After a nine-month investigation of CPRA, which has been in place since 1975, the Colorado Department of Regulatory Agencies (DORA) determined that CPRA positively contributes to patient safety and professional development, and DORA overwhelmingly endorsed its full reauthorization. Without the protections of CPRA, medical professionals would be unlikely to participate in medical reviews, reporting would decline and learning would be stifled. CHA, COPIC and the Colorado Medical Society convened a coalition, comprising of more than 40 community organizations, urging the legislature to make passing [SB 19-234](#) a top priority. In the final few days of the legislative session, the coalition was able to come to a compromise with the Colorado Trial Lawyers Association – the only organization opposing the bill – regarding information that must be disclosed in litigation, and CPRA was ultimately extended until 2030.

CHA also helped enact [SB 19-201](#) creating the Colorado Candor Act, which allows a health care provider or facility, in the event of an adverse patient outcome, to work with the patient or his/her family to have open discussions to understand what happened and what steps may be taken to prevent similar outcomes in the future. Under certain circumstances, the resolution may include an offer of compensation.

In partnership with the Colorado Civil Justice League, CHA opposed two bills seeking to transform the Colorado Consumer Protection Act from a statute that protects the public from deceptive business practices to a law with much broader applicability that would likely increase the number of questionable lawsuits and significant penalties. As introduced, [HB 19-1289](#) would have

restricted the use of private arbitration and increased private litigation, attorney general actions and costs to employers. CHA and other opponents were able to mitigate these negative impacts by eliminating the arbitration provisions and restricting private rights of action; however, the attorney general did gain new enforcement authorities under this law. The second bill failed but would have increased potential damages for suits under the Colorado Consumer Protection Act ([SB 19-237](#)).



Colorado's Changing Legal and Regulatory Environments continued

Enhancing Health Care Technology

In an effort to improve patient care in Colorado, the legislature took an interest in advancing technologies used by health care providers. A top priority and part of the CHA legislative agenda in 2019 was the creation of a centralized repository for advanced directives within the state's health information exchange infrastructure. [SB 19-073](#) was successfully enacted and created such a repository that will help providers across Colorado respect patients' unique wishes for treatment in the future. CHA also supported the enactment of [SB 19-079](#), which requires electronic prescriptions for schedule II, III or IV controlled substances and aims to enhance the security of those substances.

Modernizing Regulatory Requirements: Facility Licensing and Rural Hospital Regulatory Relief

To help address concerns from consumers, legislators and stakeholders in recent years, CHA brought forward legislation to create a new licensure category through CDPHE for freestanding emergency departments (FSEDs). [HB 19-1010](#), which passed successfully, builds upon patient notification legislation passed in 2018 and separates FSEDs from their current licensure category that includes several other types of community clinics, but does not materially change core requirements for licensure. The legislature also acted to consolidate existing licensing of behavioral health entities at the Colorado Department for Human Services (CDHS) and CDPHE and require additional licensing for some behavioral health facility types ([HB 19-1237](#)).

In response to a request made by rural members, the Association also successfully introduced and passed a bill ([HB 19-1065](#)), which provides more flexibility for rural public hospital boards and clarifies when hospitals need approval from county commissioners for leases or purchases.



Expanding Access to Care

With Democrats in charge of both chambers and the governor's office, capitol watchers expected a large number of bills impacting insurance coverage and access to care. These expectations were realized, and – as in recent years – there was a particular focus on expanding access to behavioral health care, including both mental health and substance use. CHA was actively involved in strengthening, refining and advancing these bills, helping to ensure increased access to care. In addition to a focus on access to behavioral health care, legislators brought bills that aimed to increase access to care through health care workforce development and greater insurance requirements.

Increasing Access to High-Quality Behavioral Health Care

This session, the General Assembly was able to pass legislation improving enforcement of parity between behavioral and physical health care.

[HB 19-1269](#) requires DOI-regulated plans and Medicaid to comply with federal requirements for coverage of the prevention of, screening for and treatment of mental health and substance use disorders. HCPF will be required to establish payment procedures for all medically necessary services regardless of diagnosis, include utilization management guidelines for Regional Accountable Entities (RAEs), and RAEs will be subject to review by an external quality review organization. CHA strongly supported this legislation, in particular its potential to address hospitals' issues with Medicaid payment denials based on diagnosis.

The 2019 legislature passed five bills specifically related to opioids and substance use disorders developed by the 2018 Interim Opioid and Other Substance Use Disorders Study Committee. CHA monitored all five bills, which covered a broad range of policies, including: expanding housing vouchers and creating standards for recovery residencies ([HB 19-1009](#)); treatment for individuals who encounter the criminal justice system ([SB 19-008](#)); a statewide bed tracking system ([HB 19-1287](#)); changes regarding who can and who must carry opiate antagonists, such as naloxone ([SB 19-227](#)); and new substance use disorder training requirements for some health care professionals ([SB 19-228](#)).



Gov. Polis signs Child And Youth Behavioral Health System Enhancements ([SB 19-195](#)) into law on May 16 at Children's Hospital Colorado

Photo courtesy of Children's Hospital Colorado

Another foundational bill that passed with the Association's support includes a requirement for CDHS and HCPF to create a community behavioral health safety net system over the next five years and determine whether to pursue a federal waiver allowing for inpatient mental health treatment for greater than 15 days ([SB 19-222](#)). CHA also supported two successful bills extending and expanding pilot programs, one for medication-assisted treatment ([SB 19-001](#)) and one for mental health criminal diversion programs ([SB 19-211](#)).

In addition, CHA monitored successful legislation that increases requirements for programs providing substance use disorder treatment to pregnant women and mothers ([HB 19-1193](#)) and legislation lowering the age of consent for minors seeking psychotherapy services to 12 years old ([HB 19-1120](#)). CHA monitored another successful bill ([HB 19-1044](#)) allowing adults to establish a behavioral health advance directive that communicates behavioral health history, decisions and preferences in the event that the patient later lacks decisional capacity.

Expanding Access to Care continued

Ensuring Health Insurance Provides Value to Consumers

CHA supported bills ensuring private insurance companies are providing value to consumers and not impeding access to necessary medical care. For example, the legislature passed measures requiring transparency in insurance companies' prior authorization requirements ([HB 19-1211](#)), expanding coverage of additional breast cancer screening and imaging visits after an initial visit ([HB 19-1301](#)) and prohibiting insurers from discriminating based on a person's status as a live organ donor ([HB 19-1253](#)).

In addition to increased requirements for private insurance companies, CHA monitored a bill creating additional duties and coverage programs within state agencies. [HB 19-1233](#), which passed, underscores the legislature's belief in the value of primary care and requires the state to create a primary care payment reform collaborative, establish health care affordability standards and encourage insurers to adopt policies and practices that meet those standards.

Focusing on Prevention to Address Public Health Concerns

CHA tracked seven bills supporting prevention programs to address serious public health concerns. While five of these bills passed, two significant bills that were supported by CHA failed to pass through the legislature. Legislation regulating exemptions for childhood vaccines ([HB 19-1312](#)) became a hot-button issue at the legislature in 2019 and ultimately failed. Although Colorado has the lowest vaccination rate among school-aged children in the nation, opponents expressed concerns about parental rights and the difficulty of securing an exemption under the proposed bill. CHA supported an effort to refer a significant increase in the state's nicotine and tobacco tax to voters ([HB 19-1333](#)) that was introduced late in the session, but it also failed.

Of the five bills that passed, CHA supported updates to the Colorado Clean Air Act to include electronic smoking devices ([HB 19-1076](#)) and funding for the state's Office of Public Guardianship, which was created in 2017 to assist patients with barriers to safe discharge but was not funded at that time ([HB 19-1045](#)). CHA also monitored successful bills to improve and modernize state efforts to prevent maternal mortality ([HB 19-1122](#)) and child abuse ([HB 19-1133](#)) and to support screening and early detection and treatment of breast and cervical cancer ([HB 19-1302](#)).



Conclusion

There is no doubt that health care is – and has been for some time – a top political priority, and out of a vast and varied industry, hospitals have become the face of health care in Colorado. From the beginning of his term, Gov. Polis made it abundantly clear that health care reform is one of his top priorities, and hospitals now bear the brunt of those efforts as the figurehead of the industry. On the positive side, hospitals are being looked to for solutions for important issues like access to care and behavioral health. Pressure on hospitals is expected to grow in the coming years as communities and their elected officials continue to seek answers to the puzzles this nation's health care system presents. Colorado hospitals will continue to experience a fair share of successes and challenges, and CHA looks forward to working collaboratively with its members, legislators and stakeholders to improve health care quality, accessibility and affordability in Colorado.

Hospital leaders from across the state during Rural Hospital Day at the Capitol in March.



2019 CHA Bill Summary

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
HB 19-1001 Hospital Transparency Measures to Analyze Efficacy	Rep. Kennedy (D) Sen. Moreno (D) Sen. Rankin (R)	The bill directs HCPF, in consultation with the Colorado Healthcare Affordability and Sustainability Enterprise Board, to prepare an annual report on uncompensated costs and categorical expenditures made by Colorado hospitals.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1004 Proposal For Affordable Health Coverage Option	Rep. Roberts (D) Rep. Catlin (R) Sen. Donovan (D)	The bill requires HCPF and DOI to develop and submit a proposal for a state option for health care coverage.	Support	Passed Governor Signed Effective Date: May 17, 2019
HB 19-1009 Substance Use Disorders Recovery	Rep. Kennedy (D) Rep. Singer (D) Sen. Priola (R) Sen. Pettersen (D)	The bill expands a state housing voucher program to individuals with substance use disorders who are transitioning back into the community and creates an advisory committee on uses of any custodial funds received by the state as a result of opioid-related litigation.	Monitor	Passed Governor Signed Effective Date: May 23, 2019
HB 19-1010 Freestanding Emergency Departments Licensure	Rep. Mullica (D) Rep. Landgraf (R) Sen. Gardner (R) Sen. Pettersen (D)	The bill requires CDPHE to create a new health facility license for freestanding emergency departments and to begin issuing these licenses by Dec. 1, 2021. To continue operating in the state, freestanding emergency departments must be licensed by the CDPHE within six months, by July 1, 2022.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1025 Limits on Job Applicant Criminal History Inquiries	Rep. Melton (D) Rep. Herod (D) Sen. Foote (D) Sen. Rodriguez (D)	The bill prohibits an employer from stating in a job posting, or on any form of application, that a person with a criminal history may not apply, and also prohibits an employer from inquiring into an applicant's criminal history on an initial application.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1041 Require Surgical Smoke Protection Policies	Rep. Buckner (D) Sen. Rodriguez (D)	The bill requires health facilities performing surgery to adopt and implement a policy by May 1, 2021 to use a surgical smoke evacuation system during any procedures that generate surgical smoke.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1044 Advance Behavioral Health Orders Treatment	Rep. Kraft-Tharp (R) Rep. Mullica (D) Sen. Todd (D) Sen. Coram (R)	The bill allows an adult to establish a behavioral health order for scope of treatment that communicates his or her behavioral health history, decisions and preferences in the event that he or she later lacks decisional capacity.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1045 Office Of Public Guardianship Operation Conditions	Rep. Snyder (D) Rep. Soper (R) Sen. Ginal (D)	The bill removes the requirement that the Office of Public Guardianship wait to carry out certain duties of the office until the public guardianship cash fund has received \$1,750,000 in gifts, grants and donations, and requires OPG to begin operating in the Second Judicial District (Denver County).	Support	Passed Governor Signed Effective Date: July 1, 2019
HB 19-1065 Public Hospital Boards of Trustees	Rep. Soper (R) Rep. Roberts (D) Sen. Rankin (R)	The bill removes a restriction that not more than four of the seven trustees of a public hospital board may be residents of the city/town in which the hospital is located and clarifies that a board may acquire property by lease only with the approval of the board of county commissioners.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
HB 19-1076 Clean Indoor Air Act Add E-cigarettes Remove Exceptions	Rep. Michaelson Jenet (D) Rep. Larson (R) Sen. Priola (R) Sen. Donovan (D)	The bill makes changes to the Colorado Clean Indoor Act, including making electronic smoking devices subject to the act and increasing the smoke-free radius from an entryway from 15 feet to 25 feet.	Support	Passed Governor Signed Effective Date: July 1, 2019
HB 19-1088 Modify Income Tax Credit Health Care Preceptors	Rep. Buck (R) Rep. D. Valdez (D) Sen. Donovan (D)	The bill extends the income tax credit for health care preceptors working in health care professional shortage areas through tax year 2022.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1089 Exemption From Garnishment For Medical Debt	Rep. Tipper (D) Rep. A. Valdez (D) Sen. Pettersen (D) Sen. Moreno (D)	The bill would have exempted medical debt (entered on or after Jan. 1, 2020) from earnings garnishment for an individual whose family income does not exceed 400 percent of the current federal poverty guidelines.	Monitor	Failed
HB 19-1095 Physician Assistants Supervision And Liability	Rep. Cutter (D) Rep. Mullica (D) Sen. Fields (D)	The bill modifies the supervision requirements for physician assistants and increases the number of physician assistant representatives on the Colorado Medical Board.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019, except sections 5 – 8, which take effect Oct. 1, 2019
HB 19-1105 Nurse Practitioner Workers' Compensation	Rep. Mullica (D) Rep. Saine (R) Sen. Marble (R) Sen. Winter (D)	The bill adds advanced practice nurses with prescriptive authority to the list of professions that can receive level I accreditation in the Colorado workers' compensation system.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1109 Convalescent Centers As Pharmacies	Rep. Hooton (D) Rep. Larson (R) Sen. Pettersen (D) Sen. Tate (R)	The bill allows a licensed convalescent center to register as another outlet with the Board of Pharmacy in order to procure, store, order, dispense and administer prescription medications.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019, except section 2, which takes effect Oct. 1, 2019
HB 19-1120 Youth Mental Health Education And Suicide Prevention	Rep. Michaelson Jenet (D) Rep. Roberts (D) Sen. Fenberg (D)	The bill requires the Colorado Department of Education to create and maintain a resource bank of program materials and curricula pertaining to mental health for elementary and secondary schools in the state free of charge.	Monitor	Passed Effective Date: May 3, 2019, except sections 6 – 7, which take effect Oct. 1, 2019
HB 19-1122 Colorado Department Of Public Health And Environment Maternal Mortality Review Committee	Rep. Buckner (D) Rep. Mullica (D) Sen. Fields (D) Sen. Gardner (R)	The bill creates the Colorado Maternal Mortality Review Committee within CDPHE to review maternal deaths that occur in the state, identify the causes of maternal mortality and develop recommendations to address preventable maternal deaths.	Monitor	Passed Governor Signed Effective Date: May 16, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
HB 19-1125 Mental Health Professional Access To Dismissed Complaint	Rep. Melton (D)	The bill would have created an exception to allow a mental health professional who is a respondent to a dismissed complaint to have access to the regulatory board's or Division of Professions and Occupations' records regarding the dismissed complaint.	Monitor	Failed
HB 19-1127 Lieutenant Governor Concurrent State Service	Rep. Garnett (D) Rep. Lontine (D) Sen. Fenberg (D) Sen. Fields (D)	The bill allows the lieutenant governor to serve as the Director of the Office of Saving People Money on Health Care, while also serving as lieutenant governor.	Support	Passed Governor Signed Effective Date: May 28, 2019
HB 19-1131 Prescription Drug Cost Education	Rep. Jaquez Lewis (D) Sen. Winter (D)	The bill requires a drug wholesaler, manufacturer or agent of either to provide the wholesale acquisition cost of a prescription drug to the entity or individual with whom drug-related information is shared, as well as educational materials concerning the whole acquisition cost of other prescription drugs in the same therapeutic class.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019, except section 2, which takes effect Oct. 1, 2019
HB 19-1133 Colorado Child Abuse Response And Evaluation Network	Rep. Caraveo (D) Rep. Pelton (R) Sen. Fields (D)	The bill establishes the Colorado Child Abuse Response and Evaluation Network (CARENetwork) within CDPHE to support the provision of medical exams and behavioral health assessments to children in cases of suspected abuse or neglect.	Monitor	Passed Governor Signed Effective Date: May 23, 2019
HB 19-1145 Primary Residence Exempt Liens For Medical Debt	Rep. Tipper (D) Rep. Jaquez Lewis (D)	The bill would have exempted a person's primary residence from the attachment or execution of a lien as a result from a judgment for medical debt.	Monitor	Failed
HB 19-1150 Recreate Consumer Insurance Council	Rep. Titone (D) Sen. Danielson (D)	The bill recreates, with modifications, the Consumer Insurance Council, which is an advisory body to the commissioner of insurance concerning insurance matters.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1154 Patient Choice Of Pharmacy	Rep. Catlin (R) Rep. Mullica (D) Sen. Danielson (D) Sen. Coram (R)	The bill would have prohibited insurance carriers that cover pharmaceutical services and pharmacy benefit managers from prohibiting or imposing a fee for a covered person's ability to select a pharmacy of their choice.	Monitor	Failed
HB 19-1160 Mental Health Facility Pilot Program	Rep. Mullica (D) Rep. Singer (D) Sen. Lee (D) Sen. Gardner (R)	The bill creates a three-year mental health facility pilot program within CDPHE to provide residential care and services to individuals with physical and/or mental health diagnoses and have barriers to a safe discharge.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1168 State Innovation Waiver Reinsurance Program	Rep. McCluskie (D) Rep. Rich (R) Sen. Donovan (D) Sen. Rankin (R)	The bill requires the commissioner of insurance to seek a 1332 State Innovation Waiver to create a jointly funded reinsurance program in Colorado.	Neutral	Passed Governor Signed Effective Date: May 17, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
HB 19-1169 Mental Health Involuntary Transportation Holds	Rep. Arndt (D) Sen. Cooke (R)	The bill would have clarified that the authority to involuntarily hold a person in a mental health crisis remains in effect until the evaluation for treatment is completed.	Monitor	Failed
HB 19-1172 Title 12 Recodification And Reorganization	Rep. Weissman (D) Sen. Gardner (R) Sen. Cooke (R)	The bill recodifies Title 12 of the Colorado Revised Statutes and makes technical changes.	Monitor	Passed Governor Signed Effective Date: Oct. 1, 2019
HB 19-1174 Out-of-Network Health Care Services	Rep. Esgar (D) Rep. Catlin (R) Sen. Gardner (R) Sen. Pettersen (D)	The bill requires providers, facilities and insurance carriers to provide new disclosures to consumers and established reimbursement amounts for out-of-network providers and facilities.	Neutral	Passed Governor Signed Effective Date: Jan. 1, 2020
HB 19-1176 Health Care Cost Savings Act of 2019	Rep. Sirota (D) Rep. Jaquez Lewis (D) Sen. Foote (D)	The bill creates the Health Care Cost Analysis Task Force within HCPF to analyze and compare methods of financing health care in Colorado.	Monitor	Passed Governor Signed Effective Date: May 31, 2019
HB 19-1189 Wage Garnishment Reform	Rep. Gray (D) Rep. A. Valdez (D) Sen. Bridges (D) Sen. Fields (D)	The bill adds the cost of any health insurance that is provided by an individual's employer and withheld from earnings to the amount excluded from disposable earnings in regard to garnishment of wages.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1193 Behavioral Health Supports For High-Risk Families	Rep. Herod (D) Rep. Pelton (R) President Garcia (D)	The bill offers many different components to increase access to substance use disorder treatment and support for pregnant women and new mothers.	Monitor	Passed Governor Signed Effective Date: May 23, 2019
HB 19-1208 Physical Therapists Youth Athletes Head Trauma	Rep. Singer (D) Rep. Mullica (D) Sen. Fields (D) Sen. Gardner (R)	The bill allows a licensed physical therapist to evaluate a concussed youth athlete and provide clearance for the athlete to return to play.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1211 Prior Authorization Requirements Health Care Service	Rep. Michaelson Jenet (D) Rep. Caraveo (D) Sen. Williams (D)	The bill establishes guidelines for insurance carriers regarding prior authorizations, including requiring the carrier to post current prior authorization data and requirements on its website.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1216 Reduce Insulin Prices	Rep. Roberts (D) Sen. Donovan (D) Sen. Priola (R)	The bill requires an insurance carrier to cap the copayment or coinsurance amount imposed on a covered person for prescription insulin drugs at an amount not to exceed \$100 per 30-day supply of insulin, regardless of the amount or type of insulin needed to fill the covered person's prescription.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
HB 19-1231 New Appliance Energy And Water Efficiency Standards	Rep. Froelich (D) Rep. Kipp (D) Sen. Lee (D) Sen. Priola (R)	The bill adopts updated water and energy efficiency standards for certain consumer and commercial products and requires CDPHE to publish the standards.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1233 Investments in Primary Care To Reduce Health Costs	Rep. Froelich (D) Rep. Caraveo (D) Sen. Woodward (R) Sen. Moreno (D)	The bill establishes a primary care payment reform collaborative in DORA to advise in the development of affordability standards and targets for improvements to primary care.	Monitor	Passed Governor Signed Effective Date: May 16, 2019
HB 19-1237 Licensing Behavioral Health Entities	Rep. Cutter (D) Rep. Will (R) Sen. Woodward (R) Sen. Ginal (D)	The bill creates a new system for licensing behavioral health entities under one entity administered by CDPHE, and also requires certain entities to obtain a behavioral health license that are not currently licensed.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019, except sections 6 – 9, which take effect July 1, 2021 and sections 10 – 25, which take effect July 1, 2022
HB 19-1239 Census Outreach Grant Program	Rep. Tipper (D) Rep. Caraveo (D) Sen. Priola (R) Sen. Winter (D)	The bill creates the 2020 Census Outreach Grant Program within the Division of Local Government in the Department of Local Affairs to provide grants to eligible recipients in order to support an accurate census count in 2020.	Support	Passed Governor Signed Effective Date: May 23, 2019
HB 19-1241 University of Colorado Training And Scholarships Rural Physicians	Rep. Buentello (D) Rep. Wilson (R) Sen. Ginal (D) Sen. Hisey (R)	The bill would have required that the University of Colorado School of Medicine provide educational support services and scholarships to students participating in the rural track program and cover housing expenses of rural track students while located in rural or frontier areas.	Support	Failed
HB 19-1242 Board of Pharmacy Regulate Pharmacy Technicians	Rep. Jackson (D) Rep. Jaquez Lewis (D) Sen. Winter (D) Sen. Tate (R)	The bill requires pharmacy technicians practicing in Colorado to obtain a certification from the State Board of Pharmacy within DORA and complete continuing education requirements. The bill also replaces one pharmacist member of the board with a pharmacy technician.	Monitor	Passed Governor Signed Effective Date: Oct. 1, 2019
HB 19-1248 Lobbyist Transparency Act	Rep. Weissman (D) Rep. Cutter (D) Sen. Foote (D)	The bill requires that lobbyists provide additional disclosure statements to the secretary of state when the General Assembly is in a regular or special session, including the bill number under consideration and whether the lobbyist's client is supporting, opposing, amending or monitoring the bill.	Monitor	Passed Governor Signed Effective Date: Sept. 1, 2019
HB 19-1253 Living Organ Donor Insurance	Rep. Mullica (D) Rep. Buckner (D) Sen. Hisey (R) Sen. Gonzales (D)	The bill prohibits state regulated carriers of life insurance, disability income insurance and long-term care insurance from declining/limiting coverage or determining premiums based on a person's status as a living organ donor.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
HB 19-1257 Voter Approval To Retain Revenue For Education & Transportation	Speaker Becker (D) Rep. McCluskie (D) Sen. Court (D) Sen. Priola (R)	The bill, requiring voter approval in a statewide election, permits the state to retain and spend or save all revenue it collects in FY 2019-20 and subsequent years to be spent on public schools, higher education and roads/transit.	Support	Passed Governor Signed
HB 19-1258 Allocate Voter-Approved Revenue For Education & Transportation	Speaker Becker (D) Rep. McCluskie (D) Sen. Court (D) Sen. Priola (R)	The bill, only taking effect if HB 19-1257 is adopted and passes a statewide election, requires that the excess revenue be retained in equal one-third amounts for public schools, higher education and the Highway Users Tax Fund.	Support	Passed Governor Signed
HB 19-1260 Building Energy Codes	Rep. Kipp (D) Rep. A. Valdez (D) Sen. Winter (D) Sen. Priola (R)	The bill requires counties and municipalities to adopt and enforce one of the three most recent versions of the international energy conservation code when updating building codes.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1269 Mental Health Parity Insurance Medicaid	Rep. Cutter (D) Rep. Sullivan (D) Sen. Ginal (D) Sen. Gardner (R)	The bill requires private carriers and the state's Medicaid plan to provide medically necessary coverage for behavioral health and substance use disorder services on par with the coverage for physical health services and to demonstrate compliance through new reporting requirements.	Support	Passed Governor Signed Effective Date: May 16, 2019
HB 19-1287 Treatment For Opioids And Substance Use Disorders	Rep. Esgar (D) Rep. Wilson (R) Sen. Pettersen (D) Sen. Priola (R)	The bill enacts several initiatives to increase access to behavioral health and substance use disorder treatment including a capacity tracking system, a care navigation system and a grant program.	Monitor	Passed Governor Signed Effective Date: May 14, 2019
HB 19-1289 Consumer Protection Act	Rep. Weissman (D) Sen. Foote (D) Sen. Gonzales (D)	The bill adds "recklessly" as a culpable mental state for violating the Colorado Consumer Protection Act and increases the penalty cap to \$20,000 per violation, as well as outlines terms that are prohibited in standard form contracts.	Oppose	Passed Governor Signed Effective Date: May 23, 2019
HB 19-1296 Prescription Drug Cost Reduction Measures	Rep. Jackson (D) Rep. Jaquez Lewis (D) Sen. Ginal (D) Sen. Donovan (D)	The bill would have required reporting on prescription drug costs in order to promote cost reduction by requiring health insurers, pharmacy benefit management firms and certain nonprofit organizations to report prescription drug cost information to the DOI to be posted on the DOI website.	Monitor	Failed
HB 19-1301 Health Insurance For Breast Imaging	Rep. Michaelson Jenet (D) Rep. Buckner (D) Sen. A. Williams (D)	The bill expands required total cost coverage to include any preventive breast cancer screening study and subsequent breast imaging that is deemed appropriate by the patient's provider and within the American College of Radiology's use guidelines.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1302 Cancer Treatment And License Plate Surcharge	Rep. Michaelson Jenet (D) Rep. Buckner (D) Sen. Winter (D)	The bill continues the Breast and Cervical Cancer Prevention and Treatment Program in HCPF through FY 2028-29 and creates a similar program and fund for underinsured in CDPHE.	Monitor	Passed Governor Signed Effective Date: May 16, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
HB 19-1312 School Immunization Requirements	Rep. Mullica (D) Sen. Gonzales (D) Sen. Priola (R)	The bill would have required the State Board of Health to adopt federal standards for immunization as a requirement for students to attend school and to develop standardized forms and submission processes to claim a medical or nonmedical exemption from the immunization requirements.	Support	Failed
HB 19-1320 Hospital Community Benefit Accountability	Rep. Kennedy (D) Rep. Lontine (D) Sen. Winter (D)	The bill requires nonprofit hospitals to perform a community health needs assessment and create a community benefit effective plan and to submit community benefit activities reports to HCPF each year.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
HB 19-1333 Cigarette Tobacco & Nicotine Products Tax	Rep. Caraveo (D) Sen. Fields (D)	The bill would have referred a ballot measure to voters at the November 2019 statewide election to increase cigarette and tobacco taxes and create a new tax on nicotine products. The bill would have had no effect if the ballot measure does not pass.	Support	Failed
SB 19-001 Expand Medication-Assisted Treatment Pilot Program	President Garcia (D) Rep. Buentello (D)	The bill extends the Medication-Assisted Treatment Pilot Program administered within the University of Colorado for two years and increases its appropriation from \$500,000 to \$2,500,000 from the Marijuana Tax Cash Fund, with any uncommitted money reverting to the fund at the end of FY 2020-21.	Support	Passed Governor Signed Effective Date: May 14, 2019
SB 19-004 Address High-cost Health Insurance Pilot Program	Sen. Donovan (D) Rep. Roberts (D) Rep. McCluskie (D)	The bill modernizes laws authorizing health care cooperatives in the state to incorporate consumer protections and collective rate negotiations.	Monitor	Passed Governor Signed Effective Date: May 17, 2019
SB 19-005 Import Prescription Drugs From Canada	Sen. Rodriguez (D) Sen. Ginal (D) Rep. Jaquez Lewis (D)	The bill creates the Canadian Prescription Drug Importation Program in HCPF for eligible drugs, importers and suppliers.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-008 Substance Use Disorder Treatment In Criminal Justice System	Sen. Priola (R) Sen. Pettersen (D) Rep. Kennedy (D) Rep. Singer (D)	The bill makes several changes to current state law regarding substance use in the criminal justice system, including medication-assisted treatment in jails/prisons and a new process for sealing drug-related conviction records.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-010 Professional Behavioral Health Services For Schools	Sen. Fields (D) Rep. McLachlan (D) Rep. D. Valdez (D)	The bill modifies the Behavioral Health Care Professional Matching Grant Program to allow grant funding to be used for behavioral health care services including screenings, counseling, therapy, referrals to community organizations and training for students and staff on behavioral health issues.	Monitor	Passed Governor Signed Effective Date: May 10, 2019
SB 19-015 Create Statewide Health Care Review Committee	Sen. Ginal (D) Rep. Beckman (R) Rep. Kipp (D)	The bill creates the Health Care Legislative Review Committee as an ongoing interim committee to study health care issues in Colorado.	Monitor	Passed Governor Signed Effective Date: May 29, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
SB 19-040 Establish Colorado Fire Commission	Sen. Hisey (R) Sen. Fields (D) Rep. Carver (R) Rep. Roberts (D)	The bill creates the Colorado Fire Commission to enhance public safety focused on fire management, prevention and preparedness.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-041 Health Insurance Contract Carrier And Policyholder	Sen. Smallwood (R) Rep. Kraft-Tharp (D)	The bill allows policyholders to pay premiums only through the date of ineligibility or non-coverage if a carrier is notified within 10 business days after that date.	Monitor	Passed Governor Signed Effective Date: Jan. 1, 2020
SB 19-049 Statute Of Limitation Failure Report Child Abuse	Sen. Fields (D) Rep. Michaelson Jenet (D)	The bill increases the statute of limitations for failure to report child abuse from 18 months to 3 years when a mandatory reporter has reasonable cause to know or suspect that a child has been subject to unlawful sexual behavior.	Monitor	Passed Governor Signed Effective Date: March 28, 2019
SB 19-052 Emergency Medical Service Provider Scope of Practice	President Garcia (D) Rep. Mullica (D)	The bill authorizes emergency medical service providers to practice in a clinical setting under the medical supervision of a physician, physician assistant, advanced practice nurse or registered nurse that is immediately available and physically present where the care is being delivered.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-065 Peer Assistance Emergency Medical Service Provider	President Garcia (D) Rep. Exum (D)	The bill directs the Board of Health to designate one or more peer health assistance program to provide assistance to EMS providers dealing with physical, emotional or psychological conditions that are affecting their ability to work.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-072 Bill Of Rights Protected Person Under Guardianship	Sen. Holbert (R) Rep. Ransom (R) Rep. Melton (D)	The bill would have established a bill of rights for persons who are protected through a legal guardianship relationship.	Monitor	Failed
SB 19-073 Statewide System Of Advance Medical Directives	Sen. Ginal (D) Rep. Mullica (D) Rep. Roberts (D)	The bill requires CDPHE to create and administer a statewide electronic system that allows qualified individuals to upload and access advance medical directives.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-079 Electronic Prescribing Controlled Substances	Sen. Todd (D) Sen. Priola (R) Rep. Esgar (D) Rep. Landgraf (R)	The bill requires that all podiatrists, dentists, physicians, physician assistants, advanced practice nurses and optometrists that prescribe a schedule II, III or IV controlled substance do so electronically.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-085 Equal Pay For Equal Work Act	Sen. Danielson (D) Sen. Pettersen (D) Rep. Buckner (D) Rep. Gonzales-Gutierrez (D)	The bill modifies wage discrimination law and creates new provisions regarding transparency in wages and promotions and allows a person to commence a civil action in district court.	Monitor	Passed Governor Signed Effective Date: Jan. 1, 2021
SB 19-098 Cost-Based Reimbursement For Rural Hospitals	Sen. Crowder (R)	The bill would have required Colorado's Medicaid Program to pay rural critical access hospitals and sole community hospitals for outpatient hospital services pursuant to a cost-based reimbursement methodology using 100 percent of actual cost.	Monitor	Failed

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
SB 19-109 Adjust Damages Limitations For Inflation	Sen. Fenberg (D) Rep. Garnett (D)	The bill adjusts damage limitations for unlawfully serving alcohol, non-economic loss or injury and wrongful death and requires that damage limitations be adjusted for inflation.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-110 Licensing Regulation Ambulatory Surgical Centers	Sen. Crowder (R) Rep. Pelton (R)	The bill would have authorized the State Board of Health in CDPHE to establish and enforce standards for the operation of ambulatory surgical centers.	Monitor	Failed
SB 19-133 Require License Practice Genetic Counseling	Sen. Ginal (D) Sen. Todd (D) Rep. Michaelson Jenet (D) Rep. Buckner (D)	The bill would have required that all genetic counselors in Colorado be licensed by DORA.	Support	Passed Governor Vetoed
SB 19-134 Out-of-Network Health Care Disclosures and Charges	Sen. Fields (D) Sen. Tate (R) Rep. Soper (R)	The bill would have required new disclosures to patients and set rates that insurance carriers must reimburse providers for unanticipated out-of-network services.	Oppose	Failed
SB 19-169 Project Management Competencies For Certain Contracts	Sen. Tate (R) Sen. Bridges (D) Rep. Arndt (D) Rep. Titone (D)	The bill would have made changes to the budget submission requirements for major information technology projects.	Monitor	Passed Governor Vetoed
SB 19-188 FAMLI Family Medical Leave Insurance Program	Sen. Winter (D) Sen. Williams (D) Rep. Gray (D) Rep. Duran (D)	The bill requires CDLE to perform or contract for analyses concerning the effective of a paid family and medical leave program for all employees in the state and create a task force to make recommendations on program effective.	Oppose	Passed Governor Signed Effective Date: May 29, 2019
SB 19-193 Sunset Continue Colorado Medical Practice Act	Sen. Ginal (D) Sen. Lee (D) Rep. Tipper (D)	The bill extends the repeal date of the Colorado Medical Board and regulations until Sept. 1, 2026 and implements some recommendations in the sunset review.	Support	Passed Governor Signed Effective Date: July 1, 2019, except sections 9 - 14 take effect Oct. 1, 2019
SB 19-195 Child and Youth Behavioral Health System Enhancements	Sen. Fields (D) Sen. Gardner (R) Rep. Froelich (D) Rep. Mullica (D)	The bill requires HCPF and DHS to work to provide Medicaid-covered wraparound services for children and youth at risk of or currently in out-of-home placement, as well as creates new tools to assess mental or behavioral health issues.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-201 Open Discussions About Adverse Health Care Incidents	Sen. Pettersen (D) Sen. Tate (R) Rep. Tipper (D) Rep. McKean (R)	The bill states that if an adverse health care incident occurs, a health care provider involved with the incident may, either individually or jointly with the facility involved, request that the patient enter into an open discussion concerning the incident.	Support	Passed Governor Signed Effective Date: May 6, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
SB 19-211 Mental Health Criminal Diversion Program	Sen. Moreno (D) Rep. Esgar (D)	The bill involves the Mental Health Criminal Justice Diversion Grant Program and extends a pilot program that will divert offenders with mental health conditions involved with the criminal justice system for low-level offenses into community mental health treatment programs.	Support	Passed Governor Signed Effective Date: April 16, 2019
SB 19-217 Healthcare Provider Liens	Sen. Foote (D) Sen. Tate (R) Rep. Snyder (D) Rep. Bockenfeld (R)	The bill would have created a health care provider lien to recover charges for medical care provided to a person injured by the negligence or wrongful act of another person.	Monitor	Failed
SB 19-219 Sunset Continue Licensing Of Controlled Substances	Sen. Pettersen (D) Rep. Gonzales-Gutierrez (D)	The bill extends the repeal date of the Colorado Licensing of Controlled Substances Act and implements new recommendations.	Monitor	Passed Governor Signed Effective Date: Aug. 2, 2019
SB 19-222 Individuals At Risk Of Institutionalization	Sen. Lee (D) Sen. Story (D) Rep. Esgar (D) Rep. Mullica (D)	The bill requires HCPF and DHS to improve access to behavioral health services for individuals at risk of institutionalization.	Support	Passed Governor Signed Effective Date: May 21, 2019
SB 19-223 Actions Related To Competency To Proceed	Sen. Lee (D) Sen. Gardner (R) Rep. Weissman (D) Rep. Mullica (D)	The bill makes various changes to the process that occurs when a defendant's competency to proceed is raised in a criminal proceeding, including changes to competency evaluation time frames and reports.	Monitor	Passed Governor Signed Effective Date: July 1, 2019
SB 19-227 Harm Reduction Substance Use Disorders	Sen. Pettersen (D) Sen. Gonzales (D) Rep. Kennedy (D) Rep. Herod (D)	The bill creates, expands and funds programs related to substance use disorder treatment, including bulk purchasing of opiate antagonists and making opiate antagonists publicly available, as well as allowing hospitals to be a clean needle exchange site.	Monitor	Passed Governor Signed Effective Date: May 23, 2019, except sections 15 - 16 take effect Oct. 1, 2019.
SB 19-228 Substance Use Disorders Prevention Measures	Sen. Winter (D) Sen. Moreno (D) Rep. Buentello (D) Rep. Singer (D)	The bill provides funding for the effective of several programs for the prevention of opioid and other substance use disorders.	Monitor	Passed Governor Signed Effective Date: May 23, 2019, except sections 15 - 16 take effect Oct. 1, 2019.
SB 19-234 Sunset Professional Review Committees	Sen. Rodriguez (D) Sen. Foote (D) Rep. Weissman (D)	The bill continues the registration and reporting requirements of professional review committees under the Colorado Medical Board and the State Board of Nursing until Sept. 1, 2030.	Support	Passed Governor Signed Effective Date: Aug. 2, 2019, except sections 6 - 7 take effect Oct. 1, 2019

2019 CHA Bill Summary continued

Bill #	Sponsors	Bill Summary	Position	Final Status & Implementation Date
SB 19-237 Consumer Protection Act Damages	Sen. Rodriguez (D) Rep. Roberts (D)	The bill would have clarified the awarded damages amounts for individual action and class action suits under the Colorado Consumer Protection Act.	Oppose	Failed
SB 19-238 Improve Wages And Accountability Home Care Workers	Sen. Danielson (D) Sen. Moreno (D) Rep. Kennedy (D) Rep. Duran (D)	The bill increases the reimbursement rates for home care agencies and implements a wage pass-through requirement for agencies receiving Medicaid reimbursements.	Monitor	Passed Governor Signed Effective Date: May 28, 2019
SB 19-242 Emergency Medical Service Providers Licensing	President Garcia (D) Rep. Kennedy (D)	The bill creates an EMS license as a professional credential that is available to EMS providers through CDPHE that hold a four-year bachelor's degree.	Monitor	Passed Effective Date: May 3, 2019

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