



2020 | Legislative Report



Letter from the President

To say that this year and legislative session are unprecedented now feels somewhat cliché, but it bears repeating. And it is important to preserve this perspective for those who read this many years from now. While many will think of COVID-19, what wasn't unprecedented is the fact that now more than ever, people are counting on hospitals.

Early in this year's session, with health care affordability squarely in the crosshairs of the administration, the media and some consumers, hospitals were called on. For many, the challenge of health care affordability was best embodied by hospitals, frequently featured in the media for growth and profitability. CHA and its members – committed to helping ensure health care affordability – brought forth and worked with stakeholders, the General Assembly and the administration on a comprehensive proposal on affordability in contrast to the so-called "public option." This Colorado-created "Total Cost of Care" model was designed to be a better path to achieve health care affordability for all Coloradans.

At the very time the debate on "public option" was beginning in the legislature, COVID-19 was first detected in Colorado. Not only did the legislature change its course overnight, but hospitals did too. Hospitals' exclusive focus became caring for patients and ensuring they could meet the needs of what was then a growing patient surge. Hospitals seized the opportunity to learn from the lessons of our counterparts in Washington State and heeded their warnings about dramatically scaling back non-emergent procedures, conserving personal protective equipment (PPE), securing ventilators and ensuring staff safety. Colorado fared well through this spring's COVID-19 surge due to the bed capacity, equipment and life-saving care that the health care system had built – largely in response to population growth along the Front Range over the last two decades. Beds, ventilators, PPE and other supplies were counted on a daily basis to ensure we would have enough, and years of emergency preparations were put to the test overnight. Hospitals and health systems across the state worked together to ensure patients could get the care they needed and to provide patients with the very best care, improving their practice on a near daily basis.

As the state developed its four-tiered surge capacity plan, it looked to local hospital leaders to provide oversight to the alternative care sites set up in several areas of the state that will be used in the event of a surge that exceeds hospital capacity.

While hospitals managed the surge of patients and began recovering from the surge, they started assessing the effects of the virus on their financial health, which in many cases is likely to be devastating. Hospitals and health systems face the same budget realities that many Colorado businesses face, with revenues falling overnight by an estimated 40%.

As the Joint Budget Committee and legislature began grappling with an unanticipated \$3.3 billion budget shortfall, they counted on hospitals to help solve the issue. CHA and its member hospitals were able to provide short- and long-term budget solutions that enabled the state to fulfill its constitutional requirement of having a balanced budget. As the legislature returned after a two-month hiatus to focus on COVID-19 relief and other priority issues, hospitals worked hard to ensure the response was balanced and didn't cripple hospitals' ability to respond to COVID-19 or future crises.

Colorado's hospitals are foundations of our communities all across the state and share a deep commitment with the General Assembly and other policymakers to ensure all Coloradans can access high-quality care. This value has been put to the test in this year's COVID-19 crisis, and hospitals not only proved our ability to be there for our patients when they need it most but also our willingness to be trusted partners for our state's top officials and policymakers in times of crisis.



Chris Tholen
PRESIDENT AND CEO | COLORADO HOSPITAL ASSOCIATION

Introduction

The 2020 legislative session began as most expected, with majority Democrats and the Polis Administration launching into a bold election-year agenda that included efforts aimed at lowering health care costs, regulating nicotine and vaping products, increasing childhood vaccination rates, repealing the death penalty, establishing a paid family and medical leave program, tackling climate change and enacting stricter gun control measures in the state. State revenue projections were showing signs of flattening, but legislative budget writers likely wouldn't have to make cuts to existing programs in the coming fiscal year. Improving health care affordability remained at the top of the legislative agenda for both Governor Polis and legislative leaders. Chief among their priorities was a state-based public option, which aimed to create a new health insurance option for individuals purchasing coverage on the health insurance exchange – paid for by cuts to hospitals through rate setting.

Hospitals and health systems also entered the 2020 legislative session with an ambitious policy agenda, developed over months of diligent research, stakeholder engagement and internal debate. The result was legislation aimed at both making health care more patient-centered by simplifying the patient billing process and more affordable through a Total Cost of Care model for Colorado.

The General Assembly was moving at a brisk pace coming into March when the COVID-19 pandemic reached Colorado. The 2020 session came to an immediate halt on March 14, leaving the status of many legislative priorities unknown. Hospitals and policymakers instantly set aside all policy debates in order to fight the virus that was sweeping through Colorado communities like a wildfire hopping from one bristled pine to the next.

By the time the legislative session reconvened in late May, the world had changed, and leaders needed to not only reevaluate legislative priorities but also develop a response to the pandemic that had inflicted enormous pain on Colorado's communities, its health care system and the economy. In their remaining days, legislators



focused their attention on closing a \$3.3 billion budget gap, securing COVID-19 relief for Colorado communities and tackling a number of issues that emerged during the pandemic, including price gouging, paid sick leave, workers' compensation and hospital visitation policies.

The tragic killing of George Floyd in Minneapolis added a final urgent and complicating factor to an already historic session, and legislators responded with landmark law enforcement reforms inside the Capitol while thousands protested for racial justice outside. In the end, while priorities shifted dramatically from start to finish, the 2020 session was marked by the passage of significant policies across a number of key policy areas.

2020 Legislative Session

Before Temporary Adjournment

Of the 710 pieces of legislation introduced this session, CHA engaged in 118 bills across three major themes: affordability and transparency; increased health care access and coverage; and protecting and enhancing public health.

Affordability and Transparency

Once again, addressing the high cost of health care was a major focus for lawmakers, with legislation introduced to lower premiums in the individual insurance marketplace, make patient billing-related activities more transparent for consumers and increase prescription drug price transparency. Legislation was also introduced to better understand the eventual impacts of health care affordability laws.



A Public Option?

One of the most hotly debated bills introduced this session was [House Bill \(HB\) 20-1349](#), creating a so-called state public option. Unlike true public option proposals seen in other states and at the federal level that allow individuals to buy into government plans such as Medicaid or Medicare, the “Colorado Option” (as it was later dubbed by proponents) would have mandated private health insurers currently operating in Colorado to offer a specified product, with reduced premiums resulting from the state government arbitrarily setting hospital reimbursement rates.

CHA opposed this bill for a variety of reasons, including that rate setting has been tried and failed as a mechanism to lower overall health care costs, concerns that this program only benefited a small portion of Coloradans and that the legislation failed to address cost-drivers in the system, instead arbitrarily punishing hospitals and shifting costs to employers. In preparation for the public option bill, CHA contracted with communications strategy firm to mount

an opposition campaign in late 2019. This robust messaging and marketing campaign included a website, newsletter, educational handouts, grassroots mobilization and social media content.

While opposed to the public option proposal, hospitals and health systems brought forward transformative legislation in 2020 aimed at improving health care affordability. Through the interim and into the early months of the legislative session, CHA worked with a wide group of stakeholders on legislation to create a Total Cost of Care (TCOC) model in Colorado. This model is an evidence-based, proven approach to slowing the growth in total health care expenditures across the entire health care system and realigns incentives for providers and carriers to focus on improved health care outcomes. The bill draft was nearing completion and was likely to be introduced just days after the General Assembly temporarily adjourned. Once lawmakers returned, both concepts were shelved in order to respond to the pandemic and focus on higher priorities, but both will likely be debated again in the future.

Reinsurance Extension and Expansion

Legislation updating the state’s reinsurance program ([Senate Bill \[SB\] 20-215](#)) was approved in the final days of session this June. The bill cuts the total hospital assessment imposed by HB 19-1168 from \$80 million to \$40 million and pushes the first year of the assessment from 2021 to 2022. New revenue will be collected from a fee imposed on health insurance carriers in the state (1.15% on non-profit plans and 2.1% on for-profit plans) that mirrors the recently repealed health insurance tax at the federal level. These funds will also support “wrap around” programs that mitigate the negative impacts of reinsurance on consumers’ access to federally funded tax credits. CHA worked with sponsors to add a hospital representative to the new enterprise board created by the legislation and add clarifying language that prohibits the Insurance Commissioner from using the enterprise structure to establish a state or public option.

Improving the Health Care Consumer Experience


In 2018, CHA polling found that the number one health policy issue Coloradans want addressed is to simplify the health care billing process. This year, the Association championed an innovative policy to simplify billing for consumers. [SB 20-005](#) would have streamlined the process for patients by requiring health insurers to send one consolidated bill for an episode of care. Patients would then have paid any cost-sharing amounts to their carrier, rather than multiple providers. Though this bill failed this session, CHA believes it is important to continue to advocate for policies that make the billing process easier for patients.

CHA monitored two bills ([HB 20-1160](#) and [SB 20-107](#)) focused on improving prescription drug transparency. Together, the bills would have required considerable reporting from health insurance companies, pharmacy benefit managers and pharmaceutical manufacturers on prescription drug coverage, rebates, administration fees and production costs.


Public Option vs. Total Cost of Care

The proposed public option in [HB 20-1349](#) was the wrong solution for Colorado’s health care system because it would have failed to expand health care for all Coloradans and would have increased premiums for most, didn’t tackle spending across the health care system and puts quality of care at risk in rural communities while leaving vulnerable hospitals without needed resources. This public option would have included draconian cuts to hospitals while ignoring other cost-drivers in the system.

The Total Cost of Care model, on the other hand, is envisioned to set a benchmark goal for health care costs that welcomes collaboration, measures the right metrics, builds on in-progress efforts and sets shared goals across the health care system.



- ❑ Cuts to hospitals without full evaluation of unique situations of each hospital
- ❑ Furthers the fee-for-service system
- ❑ Shifts costs to other parts of the health care system
- ❑ Only addresses cost, not quality or outcomes
- ❑ Would potentially cut just \$1.5 billion over five years



- ✅ Targets cost-savings based on evidence and unique community factors
- ✅ Emphasizes value-based insurance design and care delivery
- ✅ Slows or reduces costs to the entire system and eliminates the ability to cost shift
- ✅ Builds on the triple aim of cost, quality and improved health outcomes
- ✅ Commitment to save \$4.9 billion over five years

Hospital Contracts and Mergers

CHA opposed [HB 20-1264](#), which would have prohibited a health system or hospital from requiring health insurance carriers, as a condition of the insurance-hospital contract, to contract with other hospitals within a health system. The bill also placed statutory limitations on contracting provisions between providers and hospitals that are often used in value-based arrangements. CHA also closely monitored [SB 20-064](#), which allows the Attorney General to challenge a business merger or acquisition when federal regulators choose not to intervene.

Increased Health Care Access and Coverage

Early in the 2020 legislative session, a number of proposals surfaced expanding coverage of new health benefits in both private insurance plans and Medicaid. Governor Polis caught a lot of people by surprise when, in his signing statement for a bill expanding coverage for infertility treatments, he stated that he would not sign any additional benefit mandates into law in 2020. He followed through on this threat when he vetoed [HB 20-1085](#).

Increased Benefits and Enhanced Access to Medicaid Coverage

Attempts to increase health insurance benefits were a mixed bag in 2020. While some bills passed, such as legislation requiring coverage of HIV infection prevention drugs ([HB 20-1061](#)) and infertility treatment ([HB 20-1158](#)), bills ensuring coverage for osteoporosis and colorectal cancer screenings ([SB 20-156](#), [HB 20-1103](#)) and preventive mental wellness visits ([HB 20-1086](#)) failed. Three bills enhancing access to Medicaid were successful in 2020. [SB 20-033](#) authorizes working adults with disabilities who are over 65 years old to continue participating in the existing Medicaid buy-in program. [HB 20-1232](#) and [HB 20-1236](#), both of which CHA supported, ensure coverage of the routine costs associated with clinical trials for Medicaid clients and create an easy enrollment program that leverages the tax filing process to connect uninsured Coloradans to Medicaid and health insurance exchange coverage.

Informing the Legislative Process

In addition to larger efforts directly targeting health care costs, two minor bills were considered that would have attempted to measure the effectiveness of legislative efforts to lower costs: [SB 20-127](#) would have created a committee to review introduced bills that impose new or changed requirements on health benefit plans, and [SB 20-133](#) would have the legislature consider the fiscal impact of introduced legislation on businesses. While neither of these bills passed, they signal a recognition of the fact that legislation can have a significant impact beyond the walls of the Capitol.



Increasing Behavioral Health Services and Coverage

Continuing a trend from prior years, particular attention was given to increased coverage and access for behavioral health. The legislature considered and passed five bills specifically related to opioids and substance use disorders developed by the 2019 Interim Opioid and Other Substance Use Disorders Study Committee. CHA monitored or supported all five bills, which support individuals exiting the criminal justice system ([HB 20-1017](#)); requiring adequate reimbursement for opiate antagonists ([HB 20-1065](#)); requiring coverage of physical and occupational therapy visits, as well as acupuncture ([HB 20-1085](#)); requiring higher Medicaid reimbursement for certain medication-assisted treatment (MAT) ([SB 20-007](#)); and expanding recovery support services, including housing and resources for people who have given birth ([SB 20-028](#)).

Protecting and Enhancing Public Health



Even before COVID-19 hit Colorado, the General Assembly was tackling major public health issues, such as tobacco use prevention, access to immunizations and regulation of health professionals.

The Association engaged on a number of bills that aimed to protect and enhance public health. CHA testified in support of [HB 20-1001](#), which passed and raises the minimum age for purchasing cigarettes, tobacco products and nicotine products from 18 years old to 21 years old. Another bill supported by CHA ([HB 20-1319](#)) would have prevented the sale of flavored tobacco and nicotine products, including vaping products. This legislation failed but will likely reappear in future sessions. CHA provided testimony in support of [SB 20-163](#), which aims to increase the immunization rate of children entering kindergarten. While [SB 20-163](#) successfully passed in the last days of session, two other bills that would have harmed immunization rates were opposed by CHA and failed ([HB 20-1239](#) and [SB 20-084](#)).

Regulation of Health Care Professionals

Regulation of several Colorado health care professions were evaluated during the 2020 session. CHA helped enact [HB 20-1216](#), which reauthorized the Colorado Nurse Practice Act. Other successful sunset legislation for health care professions includes nurse aides ([HB 20-1183](#)), mental health professionals ([HB 20-1206](#)), hearing aid providers

([HB 20-1218](#)), licensed audiologists ([HB 20-1219](#)), occupational therapists ([HB 20-1230](#)) and naturopathic doctors ([HB 20-1212](#)). Finally, for the fourth year in a row, the legislature contemplated legislation ([SB 20-028](#)) creating licensure requirements for genetic counselors (it was vetoed by Governor Polis in 2019). This legislation was not deemed a priority when legislators returned, and the bill died.

Hospital leaders gathered at the State Capitol for Hospitals on the Hill, an opportunity to meet with legislators and observe the General Assembly in action.



COVID-19 & Temporary Adjournment

By early March, the first known positive cases of COVID-19 in Colorado had been detected, and mountain communities were quickly experiencing community transmission of the virus. The General Assembly temporarily adjourned on March 14 following the Governor’s declaration of a public health emergency due to COVID-19. Legislative leaders requested an opinion from the Colorado Supreme Court – called an interrogatory – to interpret how the General Assembly should “count” the remaining days in the legislative session, which is constitutionally limited to 120 days. On April 1, the Supreme Court ruled that the 120-day legislative session need not be consecutive days if an emergency is declared – a historic ruling in itself.

Responding to COVID-19

On March 13, CHA stood up its incident command center focused on rapid response, liaising with state and federal officials and developing hospital-focused solutions to the pandemic. Specifically, CHA focused its efforts on optimizing capacity of the health care delivery system through efforts to increase efficiency; increase patient throughput; and improve communication and coordination. In order to accomplish this work, CHA embedded staff in the State Emergency Operations Center (SEOC) and hosted daily calls with hospital clinical leaders and other provider groups and weekly calls with hospital leaders, key state agencies and the Governor’s office. The Association also

partnered with Colorado’s Congressional Delegation to ensure the needs of Colorado hospitals were heard in Washington, D.C. CHA’s COVID-19 challenges and priorities focused on four key areas – ensuring hospitals had sufficient space, supplies, staff and financial resources to successfully navigate the early weeks and months of the COVID-19 response. Further, the Association worked with the state to gather and report information and data necessary to manage the broader pandemic. It also engaged in a public information effort to ensure Coloradans had factual information about how hospitals were managing the pandemic.

In the wake of COVID-19, there were drastic changes to Colorado’s regulatory landscape. The state and federal government waived hundreds of regulatory requirements through nationwide “blanket” waivers and implemented new regulations. The new flexibility in Colorado’s regulatory environment allowed hospitals to better utilize telehealth services, increase ICU bed capacity in preparation for the surge, screen emergency department patients off campus to limit infection, expand their health care workforce, etc.

COVID-19 Financial Impact to Hospitals

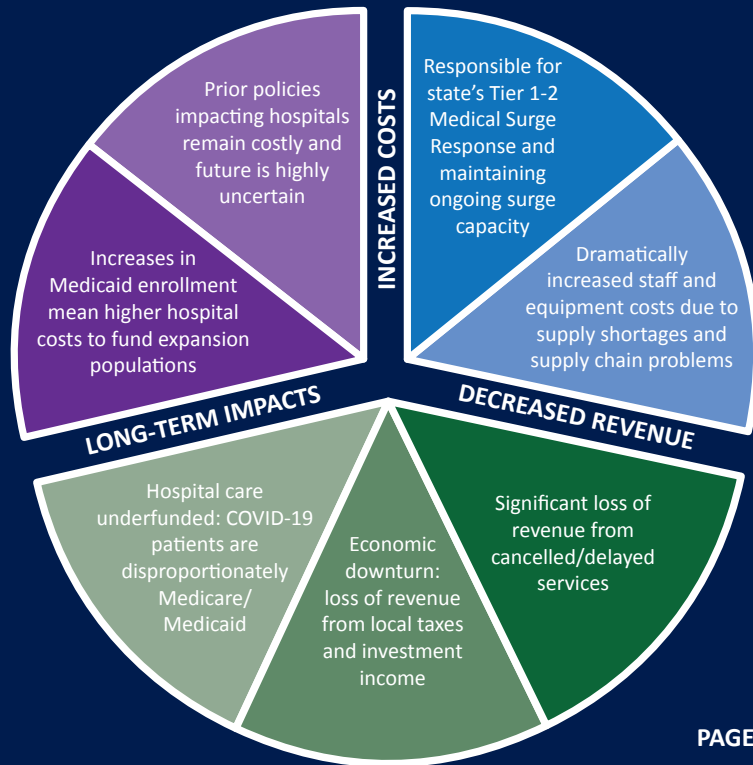
The COVID-19 crisis presented a “perfect storm” for hospital finances, and the storm will persist for the duration of the COVID-19 crisis – or longer. It has significantly reduced revenue at the same time costs

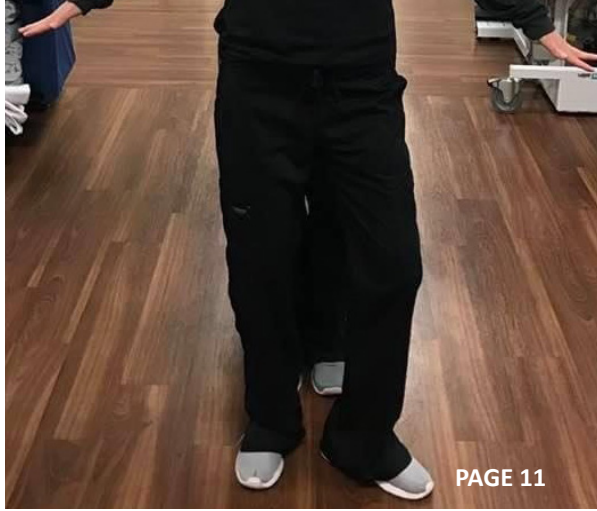
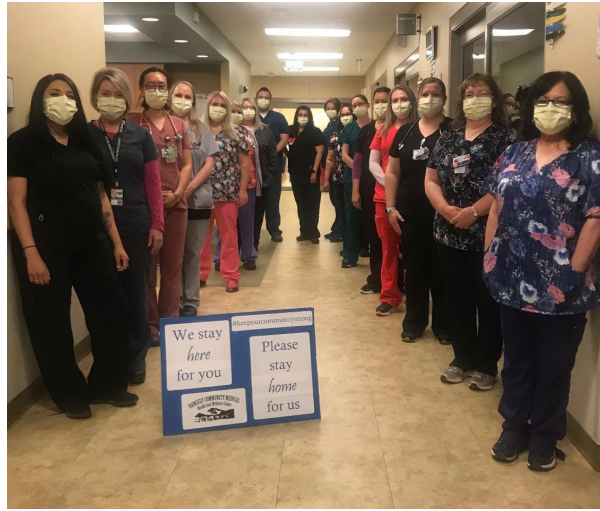
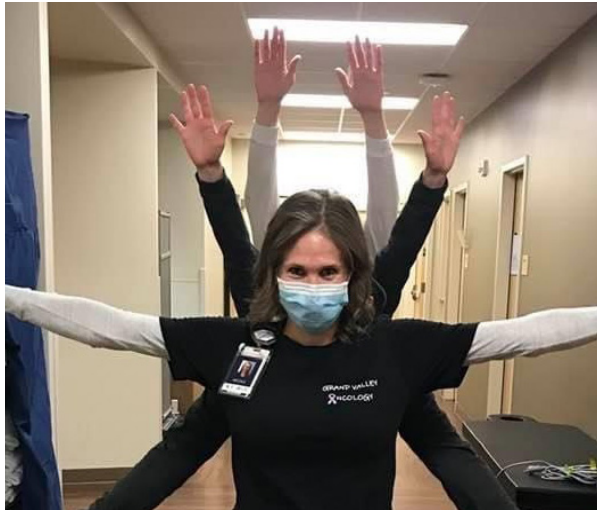
have dramatically increased, and the broader economic downturn will further this devastation in the coming months of this crisis. Colorado hospitals and health systems face an anticipated negative impact of \$4.1 billion by year’s end. Even after current levels of federal support, hospitals are still projecting a \$3.1 billion negative impact in 2020.

The ability to maintain access to care will depend on the success of hospitals and health systems in overcoming financial struggles and ensuring there is regulatory relief where necessary. Colorado’s vulnerable hospitals, many of which are in rural areas of the state, continue to need a comprehensive road to recovery. CHA is committed to supporting its members throughout the difficult journey ahead to ensure all Colorado hospitals can continue to thrive.



Hospital financial impacts due to COVID-19 are driven by multiple factors





The Legislature's Return from COVID-19 Adjournment

The legislature returned May 26 with a plan to meet for three weeks. Heading into the reconvened session, legislative leaders promised a limited set of bills would be considered that would be “fast, friendly and free.” In just three weeks, the fates of 350 already introduced bills were decided, and 87 brand new bills were introduced. Among the newly introduced bills, 97% passed before lawmakers adjourned for the year on June 15.

COVID-19 Impacts on the State Budget

Prior to the official reconvening of the General Assembly, the Joint Budget Committee (JBC) of the legislature began meeting in order to write a balanced budget for the upcoming fiscal year set to begin on July 1. The COVID-19 pandemic took a heavy economic toll on Colorado and left the state with a \$3.3 billion revenue gap that had to be closed. For weeks, CHA worked closely with the Polis administration and the JBC to mitigate the impact of likely cuts to hospitals. At one point, hospitals were asked to find over \$300 million in General Fund relief. Ultimately, the final budget imposed more than \$225 million in cuts to hospitals to provide relief to the state's General Fund.

Impact to Hospitals from State Budget

\$42 million pass-through from CHASE to General Fund from enhanced federal match (FMAP)

\$114 million transfer to General Fund from CHASE Fee 2019-20

\$47 million transfer to General Fund from CHASE Fee 2020-21

A **1% reduction** in Medicaid base rates (\$12.6 million estimated impact)

\$10 million in cuts to special hospital-specific programs (e.g., teaching hospitals, pediatric specialty programs)

Hospital assessment for reinsurance reduced from \$80 million to \$40 million via [SB 20-215](#)



Legislative Response to COVID-19

A number of bills aimed at bolstering worker protections passed when legislators returned, affecting hospitals and employers more broadly. Many of these have significant fiscal impacts to employers across the state, and the business community expressed deep concerns that collectively, these new laws would hinder Colorado's economic recovery.

[SB 20-207](#) expands unemployment insurance eligibility and increases contributions from employers. [SB 20-205](#) mandates that employers offer at least one hour of sick leave for every 30 hours worked with a maximum of 48 hours allowed to be taken annually. [HB 20-1415](#) created new protections for workers who speak out about safety concerns during a public health emergency and allows individuals to utilize their own personal protective equipment (PPE) if it provides greater protection than that which is offered by the employer. Finally, a bill opposed by CHA ([SB 20-216](#)) would have created a presumption that any positive COVID-19 cases within a class of “essential workers” were acquired in the course of employment and thus eligible for workers' compensation benefits. This presumption was projected to increase workers' compensation premiums between 30-50% in Colorado, and the bill ultimately failed.

Hospital Visitation Policies

Another issue raised in response to COVID-19 was regarding hospital visitation policies. During the public health emergency, many hospitals limited visitation to protect patient safety and preserve PPE for frontline medical personnel. [HB 20-1425](#), which was introduced in the final days of session, sought to provide absolute visitation rights to hospital patients, even when against public health interest. With limited time and relatively no stakeholder engagement, the bill was heavily amended and passed on the final day of the legislative session.



Racial Justice

The reconvening of session coincided with the public response to the recent killings of unarmed black Americans. These tragedies and responsive public protests have spilled into the streets in Colorado and across the nation, calling for policies and actions to address racism and unequal treatment across society. The legislature responded by passing a groundbreaking law enforcement accountability bill ([SB 20-217](#)) that, among other policies, will dramatically expand the use of body cameras. CHA worked with the bill's proponents to address patient privacy concerns on behalf of the health care community; however, language sufficient to protect privacy rights was not adopted in the bill.

As places of healing, hospitals have an important role to play in the wellbeing of their communities. As we've seen in the pandemic, communities of color have been disproportionately affected, both in infection rates and economic impact. Colorado hospitals and health systems condemn racism, bigotry, discrimination and violence of any kind and are committed to addressing health care disparities.

Conclusion

All told, the 2020 legislative session is one that will not be forgotten for many years to come. COVID-19 will continue to loom large over the state of Colorado. The impacts to public health and the economy will likely be felt for months and maybe years to come. But, as Colorado adjusts to the “new normal,” so too will the state’s policymakers. Many of the health care issues sidelined in 2020 by COVID-19 will return in future legislative sessions. Like in years past, Colorado hospitals and health systems will need to remain steadfastly focused on using the collective expertise to lead on the state’s most pressing health care issues. Now, it may just have to happen simultaneously with the ongoing response to a global pandemic.



2020 CHA Bill Summary

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1001 Nicotine Product Regulation	Rep. Mullica (D) Rep. Larson (R) Sen. Bridges (D) Sen. Priola (R)	The bill raises the minimum age of a person to whom cigarettes, tobacco products and nicotine products may be sold from 18 years of age to 21 years of age.	Support	PASSED Not signed as of July 7, 2020^
HB 20-1008 Health Care Cost-sharing Consumer Protections	Rep. Lontine (D) Sen. Fields (D)	The bill defines a “health care cost-sharing arrangement” as a health care sharing ministry or medical cost-sharing community that collects funds from its members on a regular basis, at levels established by the arrangement, for purposes of sharing, covering or defraying the medical costs of its members.	Support	FAILED
HB 20-1014 Misuse of Human Reproductive Material	Rep. Tipper (D) Rep. Rich (R) Sen. Gardner (R)	The bill creates a new civil cause of action and a crime if a health care provider in the course of assisted reproduction uses gametes from a person without the written consent of the patient. The bill authorizes specified compensatory damages or liquidated damages of \$50,000 in the civil action and specifies that the crime is a Class 6 felony. The bill includes that conviction of an offense under the new crime is unprofessional conduct under the licensing to practice medicine.	Monitor	PASSED Effective Date: Sept. 12, 2020*
HB 20-1017 Substance Use Disorder Treatment in Criminal Justice System	Rep. Herod (D) Rep. Kennedy (D) Sen. Donovan (D) Sen. Priola (R)	The bill allows the Department of Corrections, local jails, multijurisdictional jails, municipal jails and Department of Human Services facilities to make available at least one opioid agonists and one opioid antagonists to a person in custody with an opioid use disorder.	Monitor	PASSED Not signed as of July 7, 2020*
HB 20-1028 Need for Juvenile Behavioral Health Treatment	Rep. Beckman (R) Rep. Michaelson Jenet (D) Sen. Gonzales (D)	The bill instructs the school safety resource center to convene a working group of necessary and interested stakeholders to assess the needs of school districts with respect to the adequacy and availability of residential mental health treatment for children and youth who have been identified by school personnel as having severe behavioral or mental health disorders, and potential ways to resolve such needs.	Monitor	FAILED
HB 20-1036 Align Emergency Medical Service Provider Statutes	Rep. Arndt (D) Rep. McKean (R) Sen. Woodward (R) Sen. Zenzinger (D)	Under current law, certified emergency medical service (EMS) providers are eligible to participate in a peer health assistance program. Beginning Jan. 1, 2021, certified EMS providers who meet certain qualifications will be eligible for a professional license. This bill clarifies that licensed EMS providers will be eligible for the peer health assistance program.	Monitor	PASSED Effective Date: Sept. 12, 2020*
HB 20-1039 Transparent State Web Portal Search Rules	Rep. Coleman (D) Rep. Baisley (R) Sen. Zenzinger (D) Sen. Tate (R)	The act creates an online transparency task force to enhance online access to rules and rule-making processes.	Monitor	PASSED Effective Date: Sept. 12, 2020*
HB 20-1041 Physician Assistants Financial Responsibility Requirements	Rep. Cutter (D) Rep. McKean (R) Sen. Fields (D)	The act specifies that a physician’s assistant who has been practicing for at least three years must comply with the same financial responsibility requirements to which physicians are subject, namely to maintain professional liability coverage of at least \$1 million per incident and \$3 million aggregate per year.	Monitor	PASSED Effective Date: March 20, 2020
HB 20-1050 Other Outlet Pharmacies Drug Distribution	Rep. Hooton (D) Rep. Larson (R) Sen. Ginal (D) Sen. Tate (R)	The act clarifies that a registered prescription drug outlet and another outlet may make a casual sale of a drug in the manufacturer’s sealed container to another registered outlet and to a practitioner authorized to prescribe the drug.	Monitor	PASSED Effective Date: Sept. 12, 2020*

* allows for a petition because session did not end as scheduled. ^ will take effect immediately upon Governor’s signature.

2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1052 Privacy Protections for Human Service Workers	Rep. Carver (R) Rep. Singer (D) Sen. Gardner (R) Sen. Lee (D)	The bill replaces the definition of “caseworker” in statute with a new definition of “human services worker” to include state and county employees.	Monitor	PASSED Effective Date: Sept. 12, 2020*
HB 20-1060 Natural Organic Reduction Human Remains	Rep. Titone (D) Rep. Soper (R) Sen. Rodríguez (D) Sen. Marble (R)	The bill authorizes human remains to be converted to soil using a container that accelerates the process of biological decomposition, also known as “natural reduction.”	Monitor	FAILED
HB 20-1061 Human Immunodeficiency Virus Infection Prevention Medications	Rep. A. Valdez (D) Rep. Herod (D) Sen. Moreno (D) Sen. Priola (R)	This bill provides for increased accessibility to HIV infection prevention medications.	Monitor	PASSED Not signed as of July 7, 2020^
HB 20-1063 Fundamental Family Rights in Colorado	Rep. Geitner (R)	The bill defines parental rights as the right to direct the upbringing, education and care of a parent’s child and establishes parental rights as a fundamental right in Colorado that is subject to strict scrutiny.	Oppose	FAILED
HB 20-1065 Harm Reduction Substance Use Disorders	Rep. Kennedy (D) Rep. Herod (D) Sen. Pettersen (D) Sen. Priola (R)	The bill provides for increased accessibility to opioid and other substance use disorder medications.	Support	PASSED Not signed as of July 7, 2020*
HB 20-1068 Born Alive Child Physician Relationship	Rep. Sandridge (R)	The bill establishes a physician-patient relationship between a child born alive after or during an abortion and the physician who performed or attempted to perform the abortion.	Monitor	FAILED
HB 20-1075 Protect Human Life at Conception	Rep. Humphrey (R) Rep. Saine (R) Sen. Marble (R)	The bill prohibits terminating the life of a fetus and makes a violation a Class 1 felony, unless a licensed physician performs a medical procedure designed to prevent the death of a pregnant person or medical treatment that unintentionally terminates the life of a fetus.	Monitor	FAILED
HB 20-1076 Regulation of Claims Against Insurance Companies by Insured Parties	Rep. D. Williams (R)	The bill defines the rules regarding a request for an administrative hearing concerning an allegation that an insurer has breached the terms of an enforceable policy or other contract.	Monitor	FAILED
HB 20-1078 Pharmacy Benefit Management Firm Claims Payments	Rep. Jaquez Lewis (D) Rep. Mullica (D) Sen. Winter (D)	This bill clarifies the rules around pharmacy claims and pharmacy benefit management firms.	Monitor	PASSED Effective Date: Sept 12, 2020*
HB 20-1083 Nursing Home Definition for Residential Property Tax	Rep. Kraft-Tharp (D) Rep. Van Winkle (R) Sen. Holbert (R)	The bill defines a nursing home to include, among other things, a nursing home that provides convalescent care and rehabilitation services. The bill specifies that land on which a nursing home is situated and any improvements affixed to that land is classified and assessed as residential real property, regardless of a resident’s length of stay.	Monitor	FAILED

* allows for a petition because session did not end as scheduled. ^ will take effect immediately upon Governor’s signature.

2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1085 Prevention of Substance Use Disorders	Rep. Kennedy (D) Rep. Herod (D) Sen. Winter (D) Sen. Priola (R)	The bill makes several changes to state law concerning the prevention of opioid and other substance use disorders.	Monitor	PASSED Governor vetoed July 2, 2020
HB 20-1086 Insurance Coverage Mental Health Wellness Exam	Rep. Michaelson Jenet (D) Rep. Larson (R) Sen. Fields (D)	The bill adds a requirement, as part of mandatory health insurance coverage of preventive health care services, that health plans cover an annual mental health wellness examination of up to 60 minutes that is performed by a qualified mental health care provider.	Monitor	FAILED
HB 20-1089 Employee Protection Lawful Off-duty Activities	Rep. Melton (D)	The bill prohibits an employer from terminating an employee for the employee’s lawful off-duty activities that are lawful under state law even if those activities are not lawful under federal law.	Oppose	FAILED
HB 20-1090 Pharmacies to Provide Prescription Readers	Rep. Young (D)	The bill requires a retail community pharmacy, as defined in the bill, to make a prescription reader available to each individual who is blind or visually impaired to whom the pharmacy dispenses a prescription drug.	Monitor	FAILED
HB 20-1092 Reimbursement To Federally Qualified Health Centers	Rep. Caraveo (D) Rep. Will (R) Sen. Donovan (D) Sen. Rankin (R)	The bill requires the Department of Health Care Policy and Financing to reimburse federally qualified health centers (FQHCs) for telemedicine services and clinical pharmacy services provided to Medicaid recipients.	Monitor	FAILED
HB 20-1098 Prohibition on Abortion After Twenty-two Weeks	Rep. D. Williams (R)	The bill prohibits any person from intentionally or recklessly performing or attempting to perform an abortion on a person if the gestational age of the fetus is 22 weeks or older except in limited circumstances. Any person who performs or attempts to perform an abortion in violation of this section is guilty of a Class 1 misdemeanor but may only be subject to punishment by fine and not by jail time.	Monitor	FAILED
HB 20-1103 Colorectal Cancer Screening Coverage	Rep. Buckner (D) Rep. Will (R) Sen. Fields (D) Sen. Priola (R)	The bill requires carriers to additionally provide coverage for colorectal cancer screenings for persons 45 years of age and older.	Monitor	FAILED
HB 20-1113 Mental Health Educational Resources	Rep. Titone (D) Rep. Van Winkle (R) Sen. Bridges (D) Sen. Lundeen (R)	The bill clarifies details and expands processes around the Safe2Tell program.	Monitor	PASSED Not signed as of July 7, 2020^
HB 20-1114 Protect Minors From Mutilation and Sterilization	Rep. Sandridge (R)	The bill protects minors from mutilation and sterilization.	Monitor	FAILED
HB 20-1139 Peer Support Professionals Behavioral Health	Rep. Pelton (R) Rep. Caraveo (D)	The bill adds definitions for “peer support professional” and “recovery support services organization” for the purposes of permissible claims submitted for reimbursement under the medical services program. The bill also creates a refundable income tax credit for eligible peer support professionals.	Support	FAILED

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2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1140 Direct Primary Care Services for Medicaid Recipients	Rep. Buck (R) Sen. Ginal (D)	The bill prohibits the Department of Health Care Policy and Financing from denying a Medicaid recipient the right to purchase direct primary care services or enter into a direct primary care agreement.	Monitor	FAILED
HB 20-1144 Parent's Bill of Rights	Rep. Pelton (R)	The bill establishes a parent's bill of rights that sets forth specific parental rights related to directing the upbringing, education and health care of a child.	Oppose	FAILED
HB 20-1148 Offenses Committed Against a Deceased Human Body	Rep. Soper (R) Rep. Singer (D) Sen. Fields (D) Sen. Gardner (R)	The bill changes the penalty for abuse of a corpse to a Class 6 felony.	Monitor	PASSED Effective Date: Aug. 5, 2020*
HB 20-1154 Workers' Compensation	Rep. Kraft-Tharp (D) Rep. Van Winkle (R) Sen. Marble (R) Sen. Bridges (D)	This bill makes various changes and clarifications to the Workers' Compensation Act of Colorado.	Monitor	FAILED
HB 20-1158 Insurance Cover Infertility Diagnosis Treatment Preserve	Rep. Tipper (D) Rep. Herod (D) Sen. Winter (D) Sen. Fenberg (D)	The bill requires that all Division of Insurance (DOI) regulated health benefit plans provide coverage for the diagnosis of and treatment for infertility and standard infertility preservation services.	Monitor	PASSED Effective Date: April 1, 2020
HB 20-1160 Drug Price Transparency Insurance Premium Reductions	Rep. Jackson (D) Rep. Roberts (D) Sen. Ginal (D) Sen. Donovan (D)	The bill requires health insurers, drug manufacturers, pharmacy benefit management firms and nonprofit organizations focusing on pharmaceutical treatment to report information relating to the cost of prescription drugs to the Commissioner of Insurance.	Monitor	FAILED
HB 20-1163 Management of Single-use Plastics	Rep. A. Valdez (D) Rep. Sirota (D) Sen. Gonzales (D)	The bill prohibits stores and retail food establishments from providing single-use plastic carryout bags, single-use plastic stirrers, single-use plastic straws and expanded polystyrene food service products to customers at the point of sale.	Monitor	FAILED
HB 20-1169 Prohibit Discrimination Labor Union Participation	Rep. Ransom (R) Rep. Neville (R) Sen. Gardner (R) Sen. Marble (R)	The bill prohibits an employer from requiring union membership or payment of union dues as a condition of employment. The bill creates civil and criminal penalties for employer violations regarding union membership and authorizes the attorney general and the district attorney in each judicial district to investigate alleged violations and take action against a person believed to be in violation. The bill states that all union agreements are unfair labor practices.	Monitor	FAILED
HB 20-1180 Protect Pollinators Through Pesticide Regulation	Rep. Kipp (D) Rep. Jaquez Lewis (D) Sen. Fields (D) Sen. Priola (R)	The bill requires the Commissioner of Agriculture to adopt rules to regulate the use of neonicotinoid pesticides et al to protect bee and other pollinator populations.	Monitor	FAILED
HB 20-1183 Sunset Continue Certification of Nurse Aides	Rep. Mullica (D) Sen. Ginal (D)	The bill implements the recommendations of the Department of Regulatory Agencies in its sunset review and report on the certification of nurse aides by the state board of nursing.	Support	PASSED Effective Date: July 1, 2020

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2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1195 Consumer Digital Repair Bill of Rights	Rep. Titone (D) Rep. Singer (D) Sen. Bridges (D) Sen. Cooke (R)	The bill requires a manufacturer to provide parts, embedded software, tools or documentation, such as diagnostic, maintenance or repair manuals, diagrams or similar information, to independent repair providers and owners of the manufacturer's equipment to allow an independent repair provider or owner to conduct diagnostic, maintenance or repair services.	Monitor	FAILED
HB 20-1197 2-1-1 Statewide Human Services Referral System	Rep. Snyder (D) Rep. Rich (R) Sen. Bridges (D)	The bill requires the Department of Human Services to award a grant for \$500,000 to the Colorado 2-1-1 collaborative for necessary human services referral services in the state through Dec. 30, 2020, relating to the COVID-19 public health emergency, including information on COVID-19 test site locations and referrals regarding equity, access or discrimination concerning employment and health access, as well as other necessary referrals and intake services due to the presence of COVID-19 in the state. The bill includes a legislative declaration describing the source of federal funding for the bill and the restrictions on the use of the grant money.	Monitor	PASSED Effective Date: June 22, 2020
HB 20-1198 Pharmacy Benefits Carrier And Pharmacy Benefit Manager Requirements	Rep. Buckner (D) Sen. Fields (D) Sen. Ginal (D)	The bill requires health insurance carriers and pharmacy benefit management firms to report specified information related to compensation to state regulators, and prohibits certain business practices in this industry.	Monitor	FAILED
HB 20-1199 Lower Minimum For Employer Health Stop-loss Insurance	Rep. Buck (R)	Under current law, employers with 50 or fewer employees who self-insure can purchase stop-loss insurance to cover the cost of employee health benefits exceeding \$20,000 per employee per year. However, insurers are prohibited from issuing stop-loss policies with an attachment point below \$20,000. The bill lowers this minimum to \$10,000 per employee per year. The bill also makes a corresponding change in the minimum retention amount for larger employers, from \$15,000 to \$10,000.	Monitor	FAILED
HB 20-1206 Sunset Mental Health Professionals	Rep. Michaelson Jenet (D) Rep. Landgraf (R) Sen. Winter (D) Sen. Tate (R)	The bill continues the regulation of mental health professionals, including psychologists, social workers, professional counselors, marriage and family therapists, registered psychotherapists and addiction counselors through 2029.	Monitor	PASSED Not signed as of July 7, 2020^
HB 20-1209 Sunset Nurse-physician Advisory Task Force	Rep. Cutter (D) Rep. Mullica (D) Sen. Ginal (D)	The bill implements the recommendation of the Department of Regulatory Agencies' sunset review and report on the Nurse-Physician Advisory Task Force for Colorado Health Care (NPATCH) by continuing the NPATCH indefinitely.	Support	PASSED Effective Date: June 30, 2020
HB 20-1212 Sunset Naturopathic Doctors	Rep. Landgraf (R) Rep. Caraveo (D) Sen. Todd (D) Sen. Tate (R)	The bill implements recommendations of the Department of Regulatory Agencies' sunset review and report on the regulation of naturopathic doctors.	Monitor	PASSED Effective Date: July 2, 2020
HB 20-1216 Sunset Continue Nurse Practice Act	Rep. Mullica (D) Sen. Ginal (D)	The bill implements the recommendations of the Department of Regulatory Agencies in its sunset review and report on the Nurse Practice Act, under which nurses are regulated by the state board of nursing.	Support	PASSED Effective Date: June 30, 2020
HB 20-1218 Sunset Continue Hearing Aid Providers	Rep. Buckner (D) Rep. Jaquez Lewis (D) Sen. Danielson (D)	The bill implements the recommendations of the Department of Regulatory Agencies' sunset review and report on the licensing of hearing aid providers.	Monitor	PASSED Effective Date: Sept. 1, 2020
HB 20-1219 Sunset Continue Licensing Audiologists	Rep. Buckner (D) Rep. Jaquez Lewis (D) Sen. Danielson (D)	The bill implements the recommendations of the Department of Regulatory Agencies' sunset review and report on the licensing of audiologists.	Monitor	PASSED Effective Date: Sept. 1, 2020

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2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1221 Complementary Or Alternative Medicine Pilot Program	Rep. Kennedy (D) Sen. Zenzinger (D) Sen. Smallwood (R)	The bill modifies eligibility for the Complimentary or Alternative Medicine Pilot Program based on geography and to include those individuals with any of six primary conditions, and also a secondary condition of paralysis.	Monitor	FAILED
HB 20-1222 Veterans Hiring Preference	Rep. Carver (R) Sen. Hisey (R) Sen. Todd (D)	The bill creates a statutory basis to allow a private employer to give preference to a veteran of the armed forces or the National Guard and the spouse of a disabled veteran or a veteran killed in the line of duty when hiring a new employee as long as the veteran or the spouse is as qualified as other applicants for employment.	Monitor	FAILED
HB 20-1228 Protect Survivors' Rights To Rape Kit Evidence	Rep. Froelich (D) Sen. Danielson (D)	The bill requires the Division of Criminal Justice in the Department of Public Safety and a state-wide coalition for sexual assault victims to convene a state-wide multidisciplinary committee to research existing state-wide systems to track forensic medical evidence related to a sexual assault.	Monitor	FAILED
HB 20-1230 Sunset Occupational Therapy Practice Act	Rep. Singer (D) Rep. Larson (R) Sen. Fields (D)	The bill implements, with amendments, the recommendations of the Department of Regulatory Agencies in its sunset review and report on the licensing of occupational therapists and occupational therapy assistants (OTAs) by the director of the division of professions and occupations in the department.	Monitor	PASSED Effective Date: Sept. 12, 2020*
HB 20-1232 Equity in Access to Clinical Trials in Medicaid	Rep. Michaelson Jenet (D) Rep. Liston (R) Sen. Todd (D) Sen. Priola (R)	The bill authorizes the state medical assistance program (Medicaid) to cover routine costs associated with phase I through phase IV clinical trials involving the prevention, detection, diagnosis or treatment of life-threatening or debilitating diseases or conditions.	Support	PASSED Not signed as of July 7, 2020^
HB 20-1236 Health Care Coverage Easy Enrollment Program	Rep. Lontine (D) Rep. Will (R) Sen. Tate (R) Sen. Bridges (D)	The bill creates the Colorado Affordable Health Care Coverage Easy Enrollment Program for the purpose of leveraging the tax filing process to connect uninsured Coloradans to free or subsidized health care coverage.	Support	PASSED Effective Date: Sept. 12, 2020*
HB 20-1239 Consumer Protections Concerning Vaccinations	Rep. D. Williams (R)	The bill creates the “Vaccine Consumer Protection Act.”	Oppose	FAILED
HB 20-1264 Health Care Contract Hospital System Carriers Providers	Rep. Kennedy (D)	This bill places restrictions upon private contracts between hospitals and carriers and employment contracts with physicians.	Oppose	FAILED
HB 20-1270 One Parent Consent for Behavioral Health Services	Rep. Michaelson Jenet (D) Sen. Fields (D)	The bill authorizes a physician or a mental health professional to evaluate or treat a minor patient for a behavioral health disorder with the consent of only one parent or legal guardian of the minor if both parents have legal decision-making authority over the minor, but not when there is an existing court order providing that the parents or legal guardians have joint-decision making authority concerning the medical or behavioral health decisions of the minor.	Monitor	FAILED
HB 20-1284 Secure Transportation Behavioral Health Crisis	Rep. Kraft-Tharp (D) Rep. McCluskie (D) Sen. Bridges (D) Sen. Smallwood (R)	The bill creates a regulatory and service system to provide secure transportation services, with different requirements than traditional ambulance services, for individuals experiencing a behavioral health crisis.	Monitor	FAILED

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2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1287 Colorado Rights Act	Rep. Soper (R) Sen. Marble (R) Sen. Lee (D)	The bill allows a person who has a right, privilege or immunity secured by the Colorado constitution that is infringed upon to bring a civil action for the violation.	Monitor	FAILED
HB 20-1297 Immunization Status and Child Abuse Neglect	Rep. Baisley (R) Rep. Singer (D) Sen. Lundeen (R)	The bill adds language to Colorado’s children’s code to clarify that refusing an immunization on the grounds of medical, religious or personal belief considerations or opting to exclude immunization notification information from the immunization tracking system does not alone constitute child abuse or neglect.	Monitor	PASSED Effective Date: Not signed as of July 7, 2020*
HB 20-1302 CAPS Check Program Changes	Rep. Lontine (D) Sen. Danielson (D)	The bill states that if an employer receives a CAPS check on a person and does not hire the person at the time of receiving the check but wants to hire the person at a subsequent time, the employer shall request a new CAPS check prior to hiring the person.	Monitor	PASSED Effective Date: Not signed as of July 7, 2020*
HB 20-1314 Behavioral Health Crisis Response Training	Rep. Young (D) Rep. Pelton (R)	The bill directs the state Department of Health Care Policy and Financing to issue a request for proposals to contract with a vendor to provide a comprehensive care coordination and treatment training model for persons with intellectual and developmental disabilities and co-occurring behavioral health needs.	Support	FAILED
HB 20-1319 Prohibit Sale of Flavored Nicotine Products	Rep. Caraveo (D) Rep. Becker (D) Sen. Fields (D) Sen. Priola (R)	The bill prohibits the sale of flavored cigarettes, tobacco products and nicotine products, including flavored electronic cigarettes and products intended to be added to cigarettes, tobacco products or nicotine products, to produce a flavor other than tobacco.	Support	FAILED
HB 20-1326 Create Occupational Credential Portability Program	Rep. Bird (D) Rep. Van Winkle (R) Sen. Lee (D) Sen. Gardner (R)	This bill creates the occupational credential portability program that would apply to most professions and occupations regulated by the Division of Professions and Occupations within the Department of Regulatory Agencies, among other things.	Monitor	PASSED Effective Date: Jun 25, 2020
HB 20-1329 Department SMART Act Report Unfunded Programs	Rep. Kipp (D) Rep. Saine (R) Sen. Todd (D) Sen. Lundeen (R)	The bill requires a department to annually submit a report of all unfunded programs to staff of legislative council along with a SMART Act report.	Monitor	FAILED
HB 20-1330 CGIA Colorado Governmental Immunity Act And a State Hospital Authority	Rep. Lontine (D) Rep. McKean (R) Sen. Gardner (R) Sen. Lee (D)	The bill makes modifications to the Colorado Governmental Immunity Act.	Monitor	PASSED Effective Date: Sept. 1, 2020
HB 20-1331 Transportation Services for Medicaid Waiver Recipients	Rep. Larson (R) Rep. Duran (D)	The bill requires the Department of Health Care Policy and Financing to create and implement an expedited provider enrollment approval process and an expedited review of qualifications for transportation service providers for Medicaid waiver recipients no later than July 1, 2021.	Monitor	FAILED
HB 20-1348 Additional Liability Under Respondeat Superior	Rep. Kennedy (D) Sen. Gonzales (D)	A recent Colorado Supreme Court case held that in a civil action when an employer admits liability for the tortious actions of its employee, the plaintiff cannot assert additional claims against the employer arising out of the same incident. The bill allows a plaintiff to bring such claims against an employer.	Oppose	FAILED

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2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 20-1349 Colorado Affordable Health Care Option	Rep. Roberts (D) Rep. Kennedy (D) Sen. Donovan (D)	The bill requires a health insurance carrier that offers an individual health benefit plan in this state to offer a Colorado option plan in the Colorado counties where the carrier offers the individual health benefit plan.	Oppose	FAILED
HB 20-1385 Use of Increased Medicaid Match	Rep. Esgar (D) Rep. McCluskie (D) Sen. Moreno (D) Sen. Zenzinger (D)	This bill captures increases to federal matching funds for Medicaid to offset General Fund revenue losses resulting from COVID-19.	Monitor	PASSED Effective Date: June 29, 2020
HB 20-1386 Use Fees for Medical Assistance Program General Fund Offset	Rep. McCluskie (D) Sen. Moreno (D)	This bill transfers \$161 million to the state general fund from the CHASE fee to offset General Fund revenue losses resulting from COVID-19.	Support	PASSED Effective Date: June 30, 2020
HB 20-1391 Behavioral Health Programs Approps	Rep. Esgar (D) Rep. McCluskie (D) Sen. Moreno (D) Sen. Zenzinger (D)	The bill removes the requirement that the Department of Human Services implement a behavioral health capacity tracking system and make available to the public appropriate information from the capacity tracking system, unless money is appropriated for the system.	Monitor	PASSED Effective Date: June 30, 2020
HB 20-1397 Eliminate Colorado Department of Public Health And Environment Support of Certain Boards	Rep. McCluskie (D) Rep. Ransom (R) Sen. Moreno (D) Sen. Zenzinger (D)	The bill removes the requirement that the Department of Public Health and Environment assist and staff the Stroke Advisory Board and the Colorado Coroners Standards and Training board.	Monitor	PASSED Effective Date: June 30, 2020
HB 20-1411 COVID-19 Funds Allocation For Behavioral Health	Rep. Michaelson Jenet (D) Rep. Kraft-Tharp (D) Sen. Pettersen (D) Sen. Fields (D)	The bill makes FY 2019-20 appropriations to fund behavioral and mental health programs including: Office of Behavioral Health, Department of Human Services, Colorado Department of Public Health and Environment, University of Colorado, Department of Higher Education and Department of Law.	Support	PASSED Effective Date: June 22, 2020
HB 20-1413 Small Business Recovery Loan Program Premium Tax Credits	Rep. Bird (D) Rep. Cutter (D) Sen. Zenzinger (D) Sen. Donovan (D)	This bill creates the Colorado Loans for Increasing Main Street Business Economic Recovery Act in the Office of the State Treasurer.	Monitor	PASSED Effective Date: June 23, 2020
HB 20-1414 Price Gouge Amid Disaster Deceptive Trade Practice	Rep. Weissman (D) Rep. Titone (D) Sen. Foote (D) Sen. Pettersen (D)	This bill creates a deceptive trade practice for price gouging during a disaster period, enforceable by the Attorney General or the district attorney's office with jurisdiction over the place where the act occurred.	Support	PASSED Effective Date: Not signed as of July 7, 2020^
HB 20-1415 Whistleblower Protection Public Health Emergencies	Rep. Herod (D) Rep. Sullivan (D) Sen. Pettersen (D) Sen. Rodriguez (D)	The bill prohibits a principal from taking adverse action against a worker who raises concerns about workplace health and safety practices related to a public health emergency. The bill includes multiple avenues through which a worker may seek relief for a violation of the bill.	Monitor	PASSED Effective Date: Not signed as of July 7, 2020^
HB 20-1425 Hospital Patient Visitation Rights During COVID-19	Rep. Geitner (R) Rep. Hooton (D) Sen. Smallwood (R) Sen. Ginal (D)	The bill declares that "hospitals are encouraged to follow infection prevention protocols and identify ways to improve visitation policies while still following best practice."	Monitor	PASSED Effective Date: June 29, 2020

2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 20-002 Rural Economic Development Initiative Grant Program	Sen. Donovan (D) Sen. Coram (R) Rep. McLachlan (D) Rep. Buentello (D)	The bill creates the Rural Economic Development Initiative (REDI) grant program in the Department of Local Affairs to provide grants for projects that create new jobs through a new employer or the expansion of an existing employer and for projects that create diversity and resiliency in the local economies of rural communities.	Monitor	PASSED Effective Date: Sept. 12, 2020*
SB 20-005 Covered Person Cost-sharing Collected By Carriers	Sen. Winter (D) Sen. Priola (R) Rep. McCluskie (D)	The bill prohibits carriers from inducing, incentivizing or otherwise requiring a health care provider to collect any coinsurance, copayment or deductible directly from a covered person or the covered person's responsible party, or a covered person to pay any coinsurance, copayment or deductible directly to a health care provider.	Monitor	FAILED
SB 20-007 Treatment Opioid And Other Substance Use Disorders	Sen. Pettersen (D) Sen. Winter (D) Rep. Buentello (D) Sen. Wilson (R)	This bill expands eligibility and increases unemployment insurance benefits in the state of Colorado.	Monitor	PASSED Effective Date: Not signed as of July 7, 2020^
SB 20-010 Repeal Ban On Local Government Regulation Of Plastics	Sen. Donovan (D) Rep. Froelich (D) Rep. A. Valdez (D)	The bill repeals language that prohibits local governments from banning the use or sale of specific types of plastic materials or restricting or mandating packaging or labeling of any consumer products.	Monitor	FAILED
SB 20-022 Increase Medical Providers for Senior Citizens	Sen. Danielson (D) Rep. Titone (D) Rep. Duran (D)	The bill modifies the Colorado Health Service Corps program administered by the primary care office in the Department of Public Health and Environment, which includes a loan repayment program.	Monitor	FAILED
SB 20-026 Workers' Compensation For Audible Psychological Trauma	Sen. Fields (D) Sen. Cooke (R) Rep. Singer (D) Rep. Exum (D)	The bill states that, for the purpose of determining eligibility for workers' compensation benefits, a "psychologically traumatic event" includes an event that is within a worker's usual experience when the worker is diagnosed with post-traumatic stress disorder by a licensed psychiatrist or psychologist.	Monitor	PASSED Effective Date: Sept. 12, 2020*
SB 20-028 Substance Use Disorder Recovery	Sen. Pettersen (D) Sen. Priola (R) Rep. Buentello (D) Rep. Herod (D)	Requires the state Substance Abuse Trend and Response Task Force to convene stakeholders for the purpose of reviewing progress on bills introduced by the Opioid and Other Substance Use Disorders Study Committee and passed by the General Assembly, and generating policy recommendations related to opioid and other substance use disorders.	Monitor	PASSED Effective Date: June 30, 2020
SB 20-033 Allow Medicaid Buy-in Program After Age 65	Sen. Tate (R) Sen. Fields (D) Rep. Lontine (D)	The bill directs the Department of Health Care Policy and Financing to seek federal authorization to expand the program to include individuals in the "work incentives eligibility group," which is defined to match federal eligibility criteria for individuals who are age 65 years or older with a disability who, except for assets or income, would be eligible for the supplemental security income program.	Monitor	PASSED Effective Date: July 6, 2020
SB 20-040 Require License Practice Genetic Counseling	Sen. Ginal (D) Sen. Todd (D) Rep. Buckner (D) Rep. Michaelson Jenet (D)	The bill enacts the "Genetic Counselor Licensure Act." On and after June 1, 2021, 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 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.	Support	FAILED
SB 20-043 Out-of-network Provider Reimbursement Rate	Sen. Tate (R) Rep. D. Valdez (D)	The act corrects the reimbursement rate specified in law that a health insurance carrier is required to reimburse an out-of-network health care provider who provides either emergency services to a covered person or covered nonemergency services to a covered person at an in-network facility so that the law accurately states the reimbursement rate.	Support	PASSED Effective Date: March 11, 2020

2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 20-045 Colorado Department of Public Health and Environment Hospital License Requirements	Sen. Tate (R) Rep. D. Valdez (D)	The bill repeals language requiring each hospital license issued by the Department of Public Health and Environment to include the signature of the President of the State Board of Health, the attestation of the Secretary of the State Board and the State Board’s seal.	Support	FAILED
SB 20-064 Authority Attorney General Challenge Fed-reviewed Mergers And Antitrust	Sen. Foote (D) Rep. Soper (R) Rep. Tipper (D)	The act repeals a prohibition against the state Attorney General challenging a business merger or acquisition when the merger or acquisition has been reviewed and not challenged by a federal department, agency or commission.	Monitor	PASSED Effective Date: Sept. 12, 2020*
SB 20-077 Born Alive Child Physician Relationship	Sen. Woodward (R) Rep. Sandridge (R)	The bill establishes a physician-patient relationship between a child born alive after or during an abortion and the physician who performed or attempted to perform the abortion.	Monitor	FAILED
SB 20-080 Consumer Protection Act Changes	Sen. Rodriguez (D) Rep. Woodrow (D)	The bill amends the Colorado Consumer Protection Act to state that a plaintiff in an individual action may be awarded damages equal to the sum of \$500 per violation.	Monitor	FAILED
SB 20-084 Prohibit Requiring Employee Immunization	Sen. Marble (R) Rep. Saine (R)	The bill prohibits an employer, including a licensed health facility, from taking adverse action against an employee or an applicant for employment based on the employee’s or applicant’s immunization status. The bill allows an aggrieved person to file a civil action for injunctive, affirmative and equitable relief.	Oppose	FAILED
SB 20-087 Require Credentials Central Service Technicians	Sen. Todd (D) Rep. Mullica (D)	The bill generally prohibits any individual from functioning as a central service technician (CST) unless the individual has successfully passed a nationally accredited exam and holds at least one of two professional credentials. The bill also generally prohibits hospitals and ambulatory surgical centers from employing a CST who does not satisfy these requirements.	Monitor	FAILED
SB 20-093 Consumer And Employee Dispute Resolution Fairness	Sen. Todd (D) Rep. Mullica (D)	The bill creates the Consumer and Employee Arbitration Fairness Act, which establishes ethical standards for arbitrators, disclosure and protection of information requirements and the damages and appeals processes.	Oppose	FAILED
SB 20-102 Provider Disclose Discipline Convict Sex Offense	Sen. Ginal (D) Sen. Cooke (R) Rep. Caraveo (D) Rep. Titone (D)	The bill requires certain health care providers to disclose to patients if the provider has been convicted of a sex offense or has been subject to final disciplinary action resulting in probation or a limitation on practice when the discipline is based in whole or in part on the provider’s sexual misconduct.	Monitor	PASSED Effective Date: Sept. 12, 2020*
SB 20-107 Drug Production Costs Transparency Analysis Report	Sen. Ginal (D) Rep. Mullica (D) Rep. Jackson (D)	The bill directs the Department of Health Care Policy and Financing, or a third party with whom the department contracts, to collect, analyze and report prescription drug production cost data regarding the 20 highest-cost prescription drugs per course of therapy and the 20 highest-cost prescription drugs by volume that were purchased or paid for by the Departments of Corrections, Human Services, Personnel and Health Care Policy and Financing during the 2019-20 and future state fiscal years.	Monitor	FAILED

2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 20-113 Colorado Department of Public Health And Environment Health Facility License Requirements	Sen. Tate (R) Rep. D. Valdez (D)	The act repeals language requiring each health facility license issued by the Department of Public Health and Environment to include the signature of the president of the state Board of Health, the attestation of the Secretary of the State Board, and the State Board’s seal.	Support	PASSED Effective Date: Sept. 12, 2020*
SB 20-119 Expand Canadian Prescription Drug Import Program	Sen. Ginal (D) Rep. Jaquez Lewis (D)	The bill states that the Department of Health Care Policy and Financing may expand the program to allow a manufacturer, wholesale distributor or pharmacy from a nation other than Canada to export prescription drugs into the state under the program if certain conditions are met.	Monitor	FAILED
SB 20-122 Mobile Veteran Support Unit Grant Program	Sen. Donovan (D)	The bill establishes the mobile veteran support unit grant program to provide one-time grants to nonprofit organizations to establish mobile veteran support units.	Monitor	FAILED
SB 20-127 Committee Actuarial Review Health Care Plan Legislation	Sen. Smallwood (R) Sen. Todd (D)	The bill creates the health benefit plan design change review committee in the Division of Insurance to review introduced bills that impose new requirements on, or amend existing requirements of, health benefit plans.	Support	FAILED
SB 20-133 Business Fiscal Impact Statements	Sen. Woodward (R) Rep. Kraft-Tharp (D) Rep. D. Williams (R)	The bill requires the staff of the legislative council to prepare business fiscal impact notes on legislative bills in each regular session of the general assembly.	Monitor	FAILED
SB 20-139 County Loans For Public Infrastructure Projects	Sen. Foote (D) Rep. Gray (D)	The bill authorizes the board of county commissioners of a county, in consultation with the county treasurer, to make loans to a governmental entity that is created by or located within the county.	Monitor	PASSED Effective Date: Not signed as of July7, 2020*
SB 20-141 Cash Funds Maximum Reserve Exception	Sen. Hisey (R)	The bill exempts from the maximum reserve the following cash funds administered by the Division of Fire Prevention and Control in the Department of Public Safety; fire suppression cash fund; public school construction and inspection fund; and health facility construction and inspection cash fund.	Support	FAILED
SB 20-145 Repeal Colorado Reinsurance Program	Sen. Smallwood (R)	The bill repeals the Colorado reinsurance program in 2022 and limits the operation of the program to one benefit year.	Monitor	FAILED
SB 20-156 Protecting Preventive Health Care Coverage	Sen. Pettersen (D) Sen. Moreno (D) Rep. Esgar (D) Rep. Mullica (D)	The bill codifies a number of preventive health care services currently required to be covered by health insurance carriers pursuant to the federal Patient Protection and Affordable Care Act and adds them to the current list of services required to be covered by Colorado health insurance carriers, which services are not subject to policy deductibles, copayments or coinsurance. The bill expands certain preventive health care services to include osteoporosis screening, urinary incontinence screening and screening and treatment of a sexually transmitted infection.	Monitor	FAILED
SB 20-163 School Entry Immunization	Sen. Gonzales (D) Sen. Priola (R) Rep. Mullica (D) Rep. Roberts (D)	The bill codifies a definition of “nonmedical exemption” to mean an immunization exemption based upon a religious belief whose teachings are opposed to immunizations or a personal belief that is opposed to immunizations.	Support	PPASSED Effective Date: June 26, 2020

2020 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 20-170 Update Colorado Employment Security Act	Sen. Danielson (D) Rep. Jackson (D) Rep. Duran (D)	For the purposes of establishing a worker's eligibility for benefits under the Colorado Employment Security Act, the bill relocates the definition of "immediate family" and amends the definition.	Monitor	PASSED Effective Date: Jan. 1, 2021*
SB 20-173 Reimbursement Rates Alternative Care Facilities	Sen. Sonnenberg (R) Rep. Pelton (R)	The bill requires the state Board of Medical Services to adopt rules creating an enhanced or tiered reimbursement rate or rates for secure alternative care facilities that have higher staffing ratios due to providing services to persons with dementia or other conditions.	Monitor	FAILED
SB 20-176 Protect Neutral Determinations in Health Insurance	Sen. Danielson (D) Sen. Ginal (D) Rep. Titone (D) Rep. Young (D)	The bill clarifies 2008 legislation prohibiting discretionary clauses in certain plans and insurance policies and providing for the de novo standard of review in any court.	Monitor	PASSED Effective Date: Sept. 12, 2020*
SB 20-181 Measures On Incompetent To Proceed	Sen. Lee (D) Rep. Weissman (D)	The bill makes changes to competency reports provided by evaluators, makes changes related to bond release for defendants who are incompetent to proceed and allows for certain charges to be dropped when a defendant is incompetent.	Monitor	PASSED Effective Date: June 29, 2020
SB 20-188 Plain Language in Hospital Bills	Sen. Fields (D)	The bill requires a health care facility to provide an itemized statement or bill to a patient within 30 days after discharge from the facility or within seven days after the patient's written request.	Oppose	FAILED
SB 20-205 Sick Leave for Employees	Sen. Fenberg (D) Sen. Bridges (D) Rep. Becker (D) Rep. Caraveo (D)	The bill creates the Healthy Families and Workplaces Act, which requires employers to provide paid sick leave to employees under various circumstances.	Oppose	PASSED Effective Date: Not signed as of July 7, 2020^
SB 20-207 Unemployment Insurance	Sen. Hansen (D) Sen. Winter (D) Rep. Gray (D) Rep. Sullivan (D)	The bill exempts payment for services to an election judge up to the maximum amount permissible by federal law for the purposes of calculating total unemployment compensation benefits.	Monitor	PASSED Effective Date: Not signed as of July 7, 2020^
SB 20-212 Reimbursement For Telehealth Services	Sen. Winter (D) Sen. Tate (R) Rep. Lontine (D) Rep. Soper (R)	The bill expands Medicaid reimbursement for telehealth services to new providers, and establishes requirements for state-regulated health insurance carriers and home care agencies related to the delivery of telehealth services.	Support	PASSED Effective Date: July 6, 2020
SB 20-215 Health Insurance Affordability Enterprise	Sen. Moreno (D) Sen. Donovan (D) Rep. Kennedy (D) Rep. McCluskie (D)	The bill establishes the Health Insurance Affordability Enterprise, for purposes of Section 20 of Article X of the state Constitution, that is authorized to assess a health insurance affordability fee on certain health insurers and a special assessment on hospitals.	Monitor	PASSED Effective Date: June 30, 2020
SB 20-216 Workers' Compensation For COVID-19	Sen. Rodriguez (D) Rep. Mullica (D)	The bill provides that, if an essential worker who works outside of the home contracts COVID-19, the contraction is presumed to have arisen out of an in the course of employment, and compensable.	Oppose	FAILED
SB 20-217 Enhance Law Enforcement Integrity	Sen. Garcia (D) Sen. Fields (D) Rep. Herod (D) Rep. Gonzales-Gutierrez (D)	This bill makes several policy changes related to law enforcement practices and peace officers.	Monitor	PASSED Effective Date: June 19, 2020

* allows for a petition because session did not end as scheduled. ^ will take effect immediately upon Governor's signature.