



2021

Legislative Report



ch|a

Colorado Hospital Association

Letter from the President

Colorado hospitals and health systems have proven again over the past year that they take responsibility, even in extraordinary circumstances, for fulfilling their mission – caring for those in need. Hospitals and health systems have stepped up for Colorado, with the continued response to the COVID-19 pandemic and the rollout of the COVID-19 vaccines, the return to health care for many people who had unfortunately delayed seeking care, responding to devastating wildfires and natural disasters, caring for victims of gun violence and a growing behavioral health crisis, and more.

While this year's legislative session was undoubtedly a challenge, recognition of hospitals' service, especially in response to the COVID-19 pandemic, was broad. In several committee hearings, in comments on the House and Senate floors, and in one-on-one discussions, many members of the General Assembly noted their gratitude to hospitals, especially in this difficult year. Acknowledgement of health care workers and hospitals was evidenced at the legislature this year, including several important moves with the state budget, such as preventing new cuts and increasing Medicaid provider rates. It also shined through in defeating potentially harmful legislation, such as proposed hospital visitation requirements and prohibiting employers from mandating COVID-19 vaccine compliance.

This year, CHA tracked 99 bills, covering all facets of health and health care, impacting individuals and communities in all parts of the state. As we detail in this report, legislation covered everything from behavioral health to health care affordability to patient safety and outcomes, and more.

Despite gratitude for hospitals' efforts, there were also significant efforts from the Polis administration and legislators to change health care in Colorado, specifically around health care affordability. At CHA's Board of Trustees' direction, CHA remained an engaged stakeholder throughout the session on these challenging issues because of our commitment to improving access to high-quality, affordable health care, while working to mitigate detrimental policies to member hospitals and health systems.

With full Democratic control, the General Assembly passed 81 percent of introduced bills, evidence that while stakeholder feedback and external input was often acknowledged, it was not always integrated into policies as they moved forward. On the proposed "Colorado Option," the Board assessed the risk to hospitals in the introduced bill, asked CHA to continue to work to improve it, and ultimately moved to neutral in exchange for an amended version that was less detrimental than the original. On another key issue – the Prescription Drug Affordability Review Board – CHA handled it differently, remained opposed, and faced a different outcome: the bill passed without any of the Association's proposed changes.

CHA appreciates the engagement by member hospitals and health systems throughout this year's session, the direction provided by the CHA Board of Trustees, the counsel from our Strategic Policy, Advocacy & Government Relations Council (SPARC), and the advocacy of member hospital and health system lobbying partners. As health care continues to evolve in the market and at the direction of state and federal policy, CHA and our members will continue to advocate for the continued vitality of our member hospitals and health systems and high-quality, accessible, and affordable health care.



A handwritten signature in dark ink, appearing to read "Chris Tholen".

Chris Tholen
PRESIDENT AND CEO
COLORADO HOSPITAL ASSOCIATION

Introduction

The 2021 Legislative Session centered on the priority issues of the strong Democratic majorities in both chambers and Governor Polis, including environmental issues, transportation funding, criminal justice, gun safety and access, the state budget, and of course, health care. Following the 2020 election victories for Democrats, this session included the most progressive slate of bills Colorado has passed in recent memory.

For health care, key topics included affordability, access to care and health equity, COVID-19 response, behavioral health, and policies impacting hospital operations. CHA partnered with members, legislators, the Polis administration, insurers, physicians, consumer advocates, the business community, and others to achieve key objectives. CHA tracked 99 pieces of legislation—nearly 16 percent of the 627 bills introduced by the General Assembly.

2021 Legislative Session by the Numbers

The Colorado General Assembly considered **627** pieces of legislation in 2021, and passed **81%**

CHA tracked **99 bills** **72** passed and **27** failed

- 29 improving health equity and access to care
- 23 impacting hospitals as community assets (e.g., employers, service providers, large businesses)
- 16 regarding behavioral health
- 12 responding to COVID-19
- 10 continuing state regulation of health care
- 9 on health care affordability

CHA testified in more than **10** committee hearings

CHA worked as collaborative partner to improve legislation:

- Secured at least **15** substantive and favorable amendments on **10** bills
- Partnered with legislators, the Polis administration, insurers, physicians, consumer advocates, the business community, and others to achieve key objectives

While only one-quarter of the bills CHA tracked are featured in this report, the Association testified in more than 10 committee hearings and worked as a collaborative partner to improve legislation, including securing at least 15 substantive and favorable amendments on 10 bills. Most notably, CHA was able to negotiate substantial changes to the proposed Colorado Option, including the removal of the state-run “public option” portion of the original legislation. On COVID-19 response, CHA supported creation of the Health Care Services Reserve Corps Task Force and successfully defeated legislation that would have required hospitals to allow visitors, even if dangerous for patients and staff.

Some of the largest wins for hospitals were on the state budget: restoring 2020 cuts, preventing new cuts, and increasing Medicaid provider rates. CHA also amended and supported legislation to improve equity in pregnancy and childbirth outcomes, amended legislation addressing hospital billing requirements for uninsured patients, and supported legislation improving credentialing processes for providers.



Affordability

Health care affordability continued to be a key focus of the General Assembly this session. As in many states and at the federal level, considerable attention was devoted to affordability of insurance premiums and the cost of prescription drugs, as well as financial safeguards for uninsured patients and other improvements to health care billing systems.

“Colorado Option” Standardized Health Benefit Plan

One of the primary goals this legislative session for the Democrats and the Polis administration was the passage of [House Bill \(HB\) 21-1232](#), commonly called the “public option” or “Colorado Option.” As introduced, the legislation would have charged the Colorado Division of Insurance (DOI) to create a standardized plan, which insurers would be required to offer, and the price was required to be 20 percent lower than current plans available on the market. If any private insurance plan and their provider partners in the state failed to achieve price reduction targets by 2024, a “quasi-governmental entity” would be formed to offer the public option in the individual and small group markets, with mandatory participation for all providers and reimbursement rates set by the state.

Through negotiations with the sponsors and proponents, CHA was able to achieve significant concessions, including the removal of the “public option” portion of the legislation. In exchange for these concessions, the Association’s Board of Trustees instructed CHA to take a neutral position. As finalized, the bill will allow the state to develop a standardized health insurance plan that private health insurance carriers are required to offer starting in 2023. These standardized plans must achieve premium reduction targets that will be phased in over three years, resulting in a 15 percent premium reduction target by 2025—adjusted for the cost differences of the standardized plan as well as medical inflation. After 2025, premiums may only grow at the rate of medical inflation. The bill also creates a process by which health care providers and hospitals may be required to accept the plan and rates established by the state if private negotiations do not achieve premium reduction targets.

Pharmacy and Prescription Drugs

Prescription drug costs were a key target for affordability measures this year. [Senate Bill \(SB\) 21-175](#) creates the Prescription Drug Affordability Review Board to collect prescription drug cost information from insurers and establish statewide price caps for certain prescription drugs. Once the board sets a price cap, it will be unlawful for hospitals, pharmacies, and providers to purchase or sell a prescription drug at a cost that exceeds the cap. CHA opposed the bill and sought to limit this legislation’s impact on hospitals, but the legislation passed without the Association’s desired amendments.

The legislature also passed bills expanding international drug importation if allowed by federal law ([SB 21-123](#)) and creating a competitive bidding process for drugs acquired for the state employee health benefit plan ([HB 21-1237](#)).





STATE BUDGET



In 2020, the legislature was forced to cut \$3.3 billion due to the devastating impacts of COVID-19 on the economy, and hospitals stepped up to provide over \$225 million in relief to the state budget. In 2021, the state budget outlook changed dramatically thanks to additional federal aid and a faster-than-expected economic recovery. In late April, the General Assembly sent Gov. Polis a \$34.61 billion budget, including \$11.93 billion appropriated to the General Fund, a historic 13.4 percent (\$1.74 billion) General Fund reserve, and an \$800 million state stimulus package.

The CHA budget team lobbied the Joint Budget Committee (JBC) to restore cuts made to hospitals last year, protect existing funds, and secure additional funds to support hospitals on the road to recovery. The JBC members commended the hospitals for their work during the pandemic, as well as coming to the table with budget solutions during the downturn. Highlights of the Association's budget work include:

Defeating a request in the governor's budget to cut
\$80 million
from the Healthcare Affordability and Sustainability (HAS) Fee

Amending several HCPF budget requests to prevent up to
\$45 million
from being diverted from the HAS fee

Achieving a
2.5 percent
increase to Medicaid provider rates, restoring cuts from the previous year, and adding additional funds

Maintaining
\$6.3 million
for pediatric specialty hospitals

- Ensuring JBC rejected "placeholders" in the budget for the Colorado Option and the Prescription Drug Affordability Review Board, forcing proponents to seek funding through the traditional appropriations committee process
- Restoring prior year cuts to Disproportionate Share Hospitals and Family Residency training

In addition to efforts spearheaded or supported by CHA, the JBC also provided considerable funding to other health programs, most notably:

\$5.9 million
to support data transfers from community partners to address health care disparities and health equity

\$1.9 million
to provide expanded wrap around services for child behavioral health services

\$2.3 million
in additional funds for the All-Payer Claims Database

\$1.6 million
total funds for the Colorado Health IT Roadmap

Billing Requirements for Indigent Patients

HB 21-1198 makes several changes to the existing hospital charity care statute, currently regulated by the Colorado Department of Public Health and Environment (CDPHE). Under current law, hospitals are required to screen uninsured patients for financial assistance. Under this new law, starting in June 2022, hospitals will have to screen for both financial assistance and public coverage; provide information in languages other than English; and report financial assistance activity. The law's requirements will be overseen by the Department of Health Care Policy and Financing (HCPF) instead of CDPHE.

Improving Insurer Credentialing Systems

CHA supported **SB 21-126**, which establishes network credentialing timelines and parameters for insurers and physicians. Under the law, the application must be processed within 60 days, and insurers cannot require physicians to reapply; in exchange, physicians must maintain updated records with insurers. The bill also prohibits insurers from denying medically necessary, covered services if provided by an appropriately credentialed, in-network physician.

Access and Health Equity

The 2020 resurgence of attention to equity and social justice issues nationwide was reflected in significant legislative efforts this session to improve health equity and access to coverage and care.

Addressing Health Disparities

SB 21-181 makes changes to the Health Disparities and Community Grant Program. It expands the program's grantmaking scope to address social determinants of health for underrepresented populations. In addition, the bill specifies that the program fund may receive appropriations from the General Assembly and requires CDPHE's Office of Health Equity to develop grant application criteria for community organizations seeking grant funding. The office must issue a biannual report on health disparities and inequalities in Colorado that includes an assessment of social determinants of health and recommends strategies to address inequities. The bill expands the makeup of the Health Equity Commission to 22 members by adding representatives of seven state agencies. The commission is required to develop an equity strategic plan in response to the office's first report.



Access and Health Equity continued



Improving Maternal Health

Two bills passed during the 2021 session that aim to improve pregnancy and childbirth outcomes. [**SB 21-193**](#) requires hospitals to have a series of birth-related policies and creates certain requirements

regarding the treatment of pregnant persons in correctional facilities. [**SB 21-194**](#) will expand Medicaid coverage for all pregnancy related and postpartum services for 12 months postpartum, extending the current 60-day coverage. CHA worked with the proponents and sponsors to secure amendments that enabled the Association to support both bills.

Improving Access to Prescription Drugs and Medication Coordination

Recognizing the importance of prescription drugs to managing health conditions, a number of bills sought to improve access to prescription drugs and providers' ability to assist patients with medication coordination. CHA supported [**HB 21-1275**](#), which will expand Medicaid coverage to pharmacists working in a collaborative practice agreement with a physician; provide coverage for pharmacist-administered injectable medications for mental health and substance use disorders; and improve access to medications in Federally Qualified Health Centers (FQHCs).



CHA also supported the passage of [**SB 21-122**](#) to expand access to opioid antagonists. The bill enables standing orders and bulk purchases and provides immunity to local government agencies administering the drugs.

CHA monitored legislation ([**HB 21-1012**](#)) directing the Board of Pharmacy in the Department of Regulatory Agencies (DORA) to determine if the Prescription Drug Monitoring Program (PDMP) should track all prescription drugs prescribed in the state—not just the current subset of controlled substances—and providing DORA rulemaking authority to implement the Board's recommendations.



MEDICAID

While there was relatively little activity on the state's Medicaid program this year, CHA monitored three technical bills that may be beneficial for hospitals in the long run. [**SB 21-022**](#) requires Medicaid auditors to provide better notifications to providers undergoing a review concerning potential overpayments. [**HB 21-1190**](#) more clearly defines telemedicine for Medicaid programs and aligns telemedicine definitions in the Medical Practice Act, and [**HB 21-1256**](#) requires HCPF to develop better reimbursement rules for providers who exclusively or predominantly provide telemedicine services.



COVID-19 Response

Supporting Emergency Response

Among several bills in response to COVID-19, the legislature passed CHA-supported [HB 21-1005](#), creating the Health Care Services Reserve Corps Task Force within CDPHE. Throughout the pandemic, the versatility of medical staff allowed hospitals to respond to changing demands of COVID-19. This bill will facilitate cross-training of medical professionals to serve during emergencies and disasters. Another beneficial bill that passed with CHA's support was [HB 21-1107](#), which will protect the personal information of state and local public health workers, after many experienced harassment during the pandemic.

Failed Bills Related to the Pandemic

CHA and others were successful in preventing adoption of several bills crafted in response to the pandemic that, despite good intentions, could have harmed Colorado hospitals. CHA successfully defeated [HB 21-1172](#), which

would have required health care facilities to allow visitors even during a public health emergency. As drafted, this bill would have compromised the safety of health care workers, hospital staff, and patients during the COVID-19 pandemic and any future similar crises. Similarly, [HB 21-1191](#) would have prohibited employers, including hospitals, from mandating vaccine compliance. CHA actively opposed this bill because it could have also placed patients, their visitors, and frontline health care workers at risk.

CHA monitored two other COVID-19 response bills that failed. [SB 21-127](#) would have expanded DORA's use of emergency rules in response to a declared disaster or emergency, and [SB 21-080](#) would have provided immunity from civil liability for organizations working in good faith to comply with public health guidelines resulting from COVID-19.



Behavioral Health

While behavioral health has become a staple health care subject at the capitol in recent years, this year the issue was particularly active—in part due to the focus on health equity and in part as a COVID-19 response issue, in addition to some long-standing work coming back for legislative approval.

Investing in the State's Behavioral Health Infrastructure

CHA supported two key bills to improve infrastructure for behavioral health in Colorado. In September 2020, the Colorado Behavioral Health Task Force released recommendations on how to reform the state's behavioral health system, including the creation of a Behavioral Health Administration (BHA). [HB 21-1097](#) establishes the BHA, tasked with responsibility for most state behavioral health programs—excluding issues related to private insurance overseen by DOI and public coverage programs overseen by HCPF. It will coordinate and distribute behavioral health funding and be responsible for monitoring, evaluating, and reporting data on behavioral health outcomes. CHA and members successfully amended the bill to ensure closer alignment between the work of the BHA, HCPF, and DOI.

[SB 21-137](#) provides funding for behavioral health programs throughout state government, including several programs whose budgets were cut when the legislature was forced

to cut \$3.3 billion from the state budget due to COVID-19 in the 2020 legislative session. Funded programs include those addressing maternal and child health, the Colorado crisis system, behavioral health workforce development, community transitions, and co-responder efforts. The bill also dedicated \$550 million in federal stimulus funds from the American Rescue Plan Act to behavioral health, disbursement of which will be the focus of a task force meeting during the interim.



Behavioral Health Crisis Response

CHA monitored two bills addressing behavioral health crisis response. In 2019, the tragic death of Elijah McClain in Aurora shook Colorado and the nation, particularly for the use of police restraints and ketamine administration by paramedics during the incident. In response, the General Assembly passed [HB 21-1251](#), which limits the use of ketamine by emergency medical service (EMS) providers and law enforcement in pre-hospital settings. The bill also requires EMS providers who administer ketamine to provide urgent transport for the patient and record complaints arising from the administration of ketamine.

[HB 21-1085](#) allows counties to license secure transportation services in order to provide urgent transportation for individuals experiencing a behavioral health crisis to a hospital, a mental health treatment facility, an approved alcohol and substance abuse treatment center, or a walk-in crisis center.

Impacts to Hospitals' General Operations

The breadth of legislation CHA engaged in during the 2021 session demonstrated the immense importance hospitals have within communities across Colorado: as key drivers of the economy, as employers, and as operators of major community institutions. In general, these bills demanded increased investment from hospitals to achieve goals unrelated to health care delivery, which runs counter to the legislature's simultaneous mandate for hospitals to decrease health care costs.

CHA secured some amendments acknowledging the unique status of hospitals on [HB 21-1286](#), which requires owners of large buildings—including hospitals—to collect and report on energy use, benchmarking data, and to comply with performance standards related to energy and greenhouse gas emissions.

CHA actively opposed and defeated [SB 21-197](#), which would have expanded injured workers' rights under the state's worker's compensation system. As the bill was drafted, CHA was concerned about the potential for delays in care for injured workers and increased costs.

CHA also opposed [HB 21-1188](#) expanding an employer's liability for the actions of an employee, effectively reversing a 2017 Colorado Supreme Court decision limiting employer liability.



GOOD GOVERNANCE

One of the few things that was typical about this legislative session was the passage of bills pertaining to general governance of health care, including regulation of professions and rule review ([SB 21-152](#)). Sunset bills were passed to continue the State Board Of Pharmacy ([SB 21-094](#)), the Medical Transparency Act ([SB 21-097](#)), the Prescription Drug Monitoring Program ([SB 21-098](#)), Surgical Assistants And Surgical Technologists ([SB 21-092](#)), and Direct-entry Midwives ([SB 21-101](#)).



Conclusion

The 2021 legislative session was one of the most consequential in terms of major policies enacted by the General Assembly in recent years. Early indications suggested that the 2021 session might be fairly subdued due to ongoing COVID-19 concerns. However, the on-time delivery and high efficacy of COVID-19 vaccines early in the year quickly dissipated fears, shifted public attention, and enabled a dramatic and ambitious progressive agenda for the Democratic majority across many issue areas. The Polis administration now holds the mandate—and the responsibility—to effectively implement dozens of new major programs and policies, and CHA will continuously monitor these issues for impacts to hospitals and health care as implementation begins to take shape.

Looking ahead to 2022,

Colorado will be entering a critical election year. In addition to statewide races for governor and one of two U.S. Senate seats (the seat currently held by Sen. Michael Bennet), Colorado will have a new eighth Congressional district and new electoral maps for state and federal legislative seats. The central political question over the coming months is likely to be “How progressive is too progressive?” for Colorado’s electorate, as Democrats urge the state to the left, and Republicans try to maintain—or potentially gain back—seats in the coming election.

For additional resources, please visit
CHA’s 2021 Legislative Session webpage [HERE](#)



2021 CHA Bill Summary

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 21-1005 Health Care Services Reserve Corps Task Force	Rep. Mullica (D) Sen. Caraveo (D) Sen. Garcia (D)	The bill creates the Health Care Services Reserve Corps Task Force in CDPHE to evaluate and make recommendations regarding the creation of a Colorado Health Care Services Reserve Corps program, which will cross-train medical professionals to serve during emergencies and disasters.	Support	PASSED Effective Date: July 6, 2021
HB 21-1012 Expand Prescription Drug Monitoring Program	Rep. Rich (R) Rep. Mullica (D) Sen. Pettersen (D) Sen. Coram (R)	The bill directs the Board of Pharmacy in DORA to determine if the Prescription Drug Monitoring Program (PDMP) should track all prescription drugs prescribed in the state. The board may exclude one or more prescription drugs from the program by publicly noting the justification for the exclusion.	Monitor	PASSED Effective Date: Sept. 7, 2021
HB 21-1017 Protect Human Life At Conception	Rep. Neville (R)	The bill prohibits licensed physicians from performing abortions except in certain situations. Offenses under the bill are punishable as a Class 1 felony, and a conviction constitutes unprofessional conduct for the purposes of physician licensing.	Monitor	FAILED
HB 21-1020 Proton Beam Therapy For Cancer Treatment	Rep. McCormick (D) Rep. Soper (R)	For health insurance plans that provide coverage for cancer treatment, the bill prohibits insurance carriers from applying a higher standard of evidence to the coverage of proton beam therapy than is applied to other radiation therapy treatments.	Monitor	FAILED
HB 21-1021 Peer Support Professionals Behavioral Health	Rep. Pelton (R) Rep. Caraveo (D) Sen. Zenzinger (D) Sen. Hisey (R)	The bill requires CDHS to develop a procedure to approve recovery support services organizations that meet certain qualifications and that peer support professional services provided through an approved recovery support services organization can to be covered under Medicaid. The bill creates the Peer Support Workforce Cash Fund that contains revenue from fees paid by recovery support services organizations.	Support	PASSED Effective Date: Sept. 7, 2021
HB 21-1030 Expanding Peace Officers Mental Health Grant Program	Rep. McCluskie (D) Rep. McKean (R) Sen. Buckner (D) Sen. Cooke (R)	The bill allows additional public safety agencies and behavioral health entities to apply to the newly renamed Peace Officers Mental Health Support and Community Partnerships Grant Program to provide responder community responses, community responses, and counseling services for peace officers and their immediate family members, among other services.	Support	PASSED Effective Date: Sept. 7, 2021
HB 21-1032 Local Government Authority Statewide Disaster Declarations	Rep. Luck (R)	The bill allows a local governing body to abrogate all or any portion of a disaster emergency order issued by the Governor when the disaster emergency lasts longer than 30 days.	Monitor	FAILED
HB 21-1036 Local Control Of Health Orders	Rep. Pico (R)	The bill allows a local governing body to vote to reject or modify a health order issued by a county or district public health agency, public health director, or board of health.	Monitor	FAILED
HB 21-1041 Private Sector Enterprise Protections	Rep. Woog (R)	The bill prohibits the state government from passing or implementing any law or rule restricting the natural rights of a private sector enterprise or its customers to exercise their free will and free choice to conduct business, exchange goods and services, and take risks that are acceptable to all parties involved in the transaction.	Monitor	FAILED

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 21-1049 Prohibit Discrimination Labor Union Participation	Rep. Van Beber (R) Rep. Ransom (R)	The bill prohibits an employer from requiring employee membership in a labor organization as a condition of employment and from requiring employees to pay dues or fees to a labor organization, charity, or other third party.	Monitor	FAILED
HB 21-1050 Workers' Compensation	Rep. Gray (D) Rep. Van Winkle (R) Sen. Bridges (D) Sen. Cooke (R)	The bill makes various changes and clarifications to the Workers' Compensation Act of Colorado. It adds guardian ad litem and conservator services, mileage deadlines, prohibits the reduction of an employee's temporary benefits based on apportionment, limits apportionment of permanent impairment to specific situations, adds conditions that must be met for an employer or insurer to request the selection of an independent medical examiner, and more.	Support	PASSED Effective Date: Sept. 7, 2021
HB 21-1068 Insurance Coverage Mental Health Wellness Exam	Rep. Michaelson Jenet (D) Rep. Titone (D) Sen. Moreno (D) Sen. Smallwood (R)	The bill requires that state-regulated health insurance plans provide coverage for the total cost of an annual mental health examination.	Monitor	PASSED Effective Date: July 6, 2021
HB 21-1074 Immunity For Entities During COVID-19	Rep. Bradfield (R)	The bill establishes immunity from civil liability for entities acting in good faith to comply with public health guidelines from any COVID-19 related suit.	Monitor	FAILED
HB 21-1081 Disaster Emergency Duration Limits	Rep. Pico (R)	The bill extends the maximum duration of a state of disaster emergency to 60 days, unless the General Assembly adopts a joint resolution that extends it.	Monitor	FAILED
HB 21-1085 Secure Transportation Behavioral Health Crisis	Rep. McCluskie (D) Rep. Larson (R) Sen. Bridges (D) Sen. Smallwood (R)	The bill requires secure transportation services to be licensed by a county's board of commissioners, and also creates a new Medicaid benefit for secure transportation.	Monitor	PASSED Effective Date: Sept. 7, 2021
HB 21-1097 Establish Behavioral Health Administration	Rep. Young (D) Rep. Pelton (R) Sen. Fields (D) Sen. Gardner (R)	The bill establishes the Behavioral Health Administration, tasked with responsibility for most state behavioral health programs – excluding issues related to private insurance overseen by DOI and public coverage programs overseen by HCPF.	Support	PASSED Effective Date: April 22, 2021
HB 21-1107 Protections For Public Health Department Workers	Rep. Caraveo (D) Rep. Carver (R) Sen. Bridges (D) Sen. Lundeen (R)	The bill extends protections of personal information on the internet to public health workers, including employees, contractors, or employees of contractors for CDPHE or local public health agencies. Workers can submit a written request to a state or local government official to remove their personal information from public records that are available on the internet.	Support	PASSED Effective Date: May 18, 2021
HB 21-1109 Broadband Board Changes To Expand Broadband Service	Rep. Titone (D) Rep. Soper (R) Sen. Bridges (D) Sen. Coram (R)	The bill moves the Broadband Deployment Board from DORA to the Office of Information Technology, modifies the membership and duties of the Broadband Deployment Board, and directs the Broadband Deployment Board to establish an annual process to address critically unserved areas of the state.	Monitor	PASSED Effective Date: July 7, 2021
HB 21-1115 Board Of Health Member Requirements	Rep. Kipp (D) Rep. Mullica (D) Sen. Ginal (D) Sen. Priola (R)	The bill requires members of county and district boards of health to attend an annual training provided by CDPHE.	Monitor	PASSED Effective Date: Sept. 7, 2021

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 21-1119 Suicide Prevention, Intervention, & Postvention	Rep. Rich (R) Rep. Daugherty (D) Sen. Donovan (D) Sen. Coram (R)	The bill updates the powers and duties of the Suicide Prevention Commission and CDPHE to include a comprehensive suicide prevention approach that includes prevention, intervention, and postvention.	Monitor	PASSED Effective Date: Sept. 7, 2021
HB 21-1120 License Private Security Guards	Rep. Caraveo (D) Rep. Weissman (D)	The bill creates a state licensure requirement for armed guards, protection guards, and security guards, including requirements for screening, training, and regulation of security officers.	Monitor	FAILED
HB 21-1123 CAPS Checks For Substantiated Mistreatment Of Adult	Rep. Michaelson Jenet (D) Rep. Larson (R) Sen. Fields (D) Sen. Smallwood (R)	The bill requires information sharing between state and local departments regarding regulated professionals with substantiated cases of mistreatment of an at-risk adult. It requires that prospective conservators or guardians to an at-risk adult have a CAPS check.	Monitor	PASSED Effective Date: Sept. 7, 2021
HB 21-1130 Expand Transition Specialist Program	Rep. Michaelson Jenet (D) Rep. Bradfield (R) Rep. Kolker (D) Sen. Gardner (R)	The bill expands the community transition specialist program in DHS to individuals who are receiving voluntary behavioral health or substance abuse services. In addition, the DHS must coordinate referrals from acute treatment services and facilities providing crisis stabilization services.	Support	PASSED Effective Date: April 20, 2021
HB 21-1135 Health-care Cost-sharing Consumer Protections	Rep. Lontine (D) Sen. Fields (D)	The bill requires operators of health care cost-sharing arrangements (CSAs) to report specified information to the Commissioner of Insurance in DORA, provide disclosures to consumers, and respond to requests for payment within a specified time period.	Monitor	FAILED
HB 21-1140 Eliminate Donor Costs For Living Organ Donations	Rep. Titone (D) Sen. Coram (R)	The bill requires state-regulated health insurance plans to cover the full cost for a covered individual donating an organ, and prohibits health facilities from charging living organ donors for any costs associated with the donation.	Monitor	PASSED Effective Date: Sept. 7, 2021
HB 21-1143 Protect Survivors' Rights To Rape Kit Evidence	Rep. Froelich (D) Rep. Soper (R) Sen. Danielson (D)	The bill requires medical professionals to make certain disclosures to victims of sexual assault, and allows victims to be informed of and object to evidence destruction in certain cases.	Monitor	PASSED Effective Date: May 27, 2021
HB 21-1146 Auricular Acudetox Professional Practice	Rep. Pico (R) Rep. D. Valdez (D) Sen. Zenzinger (D) Sen. Woodward (R)	The bill clarifies that a practitioner does not have to be licensed, certified, or registered to perform auricular acudetox.	Monitor	PASSED Effective Date: April 29, 2021
HB 21-1162 Management Of Plastic Products	Rep. A. Valdez (D) Rep. Cutter (D) Sen. Gonzales (D) Sen. Garcia (D)	The bill phases out single-use plastic carryout bags and expanded polystyrene food containers. It authorizes local governments to enforce violations and impose civil penalties.	Monitor	PASSED Effective Date: Sept. 7, 2021, except Section 1, which takes effect Jan. 1, 2024
HB 21-1166 Behavioral Health Crisis Response Training	Rep. Young (D) Rep. Will (R) Sen. Ginal (D)	The bill requires HCPF to contract with a vendor to provide teleconferencing trainings on a comprehensive care coordination and treatment model for professionals who work with individuals with intellectual and developmental disabilities and co-occurring behavioral health needs.	Monitor	PASSED Effective Date: June 15, 2021
HB 21-1169 Prohibit Discrimination Organ Transplant Recipient	Rep. Van Beber (R) Rep. Ortiz (D) Sen. Pettersen (D) Sen. Danielson (D)	The bill prohibits health care providers and health facilities from limiting access to an organ transplant based solely on an individual's disability.	Monitor	PASSED Effective Date: May 6, 2021

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 21-1172 Hospital Patient Long-term Care Resident Visit Rights	Rep. Geitner (R) Sen. Smallwood (R) Sen. Ginal (D)	The bill requires health care facilities, including hospitals, nursing care facilities, and assisted living residences, to allow their patients and residents to have at least one visitor of their choosing, and other requirements to allow visitation during emergency declarations.	Monitor	FAILED
HB 21-1183 Induced Termination Of Pregnancy State Registrar	Rep. Luck (R)	The bill requires health care providers that perform induced terminations of pregnancy to report certain information to the Office of the State Registrar of Vital Statistics in CDPHE, and adds the failure to report to the definition of "unprofessional conduct" for physicians and physician assistants and to the grounds for discipline for advanced practice registered nurses.	Monitor	FAILED
HB 21-1184 Physician Assistant Collaboration And Reimbursement	Rep. Lontine (D) Rep. Will (R) Sen. Winter (D)	The bill replaces the supervisory relationship between a physician and a physician assistant with a collaborative one and modifies insurance reimbursement of physician assistants.	Monitor	FAILED
HB 21-1187 Long-term Services And Support Case Management Redesign	Rep. Young (D) Rep. Pelton (R) Sen. Winter (D) Sen. Rankin (R)	The bill requires the Medical Services Board in HCPF to adopt rules providing for the establishment of a redesigned case management system. The new system must consist of agencies that provide case management services on a fee-for-service basis or through Colorado's Medicaid program.	Monitor	PASSED Effective Date: Sept. 7, 2021, except Sections 2-69, which take effect on July 1, 2024
HB 21-1188 Additional Liability Under Respondeat Superior	Rep. Kennedy (D) Sen. Gonzales (D)	The bill allows a plaintiff in a civil tort claim to bring additional claims against the employer or a principal arising out of the same incident as the one involving an employee when an employer or principal admits liability.	Oppose	PASSED Effective Date: Sept. 7, 2021
HB 21-1190 Defining Telemedicine For Medical Practitioners	Rep. Rich (R) Rep. Esgar (D) Sen. Kirkmeyer (R) Sen. Fields (D)	For the purpose of the "Colorado Medical Practice Act," the bill modifies the definition of telemedicine as the delivery of services through HIPAA-compliant telecommunications systems, including information, electronic, and communication technologies, remote monitoring technologies, and store-and-forward transfers, to facilitate the assessment, diagnosis, consultation, or treatment of a patient.	Monitor	PASSED Effective Date: May 18, 2021
HB 21-1191 Prohibit Discrimination COVID-19 Vaccine Status	Rep. Ransom (R) Rep. Van Beber (R)	The bill prohibits the state from making any COVID-19 vaccine mandatory and further prohibits employers, including health facilities, from making the COVID-19 vaccine a condition of employment or taking adverse action against an employee based on their vaccine status.	Oppose	FAILED
HB 21-1198 Health-care Billing Requirements For Indigent Patients	Rep. Jodeh (D) Sen. Buckner (D) Sen. Kolker (D)	The bill repeals, reenacts, and expands hospital requirements around providing discounted care to uninsured patients and moves regulatory authority over the program from CDPHE to HCPF. It requires HCPF to develop a standard application for health care facilities to screen uninsured patients for eligibility for public health insurance programs, the Colorado Indigent Care Program (CICP), or discounted care and creates an appeals process if a patient is found to be ineligible. It limits the amount that a health care facility can charge eligible patients to not more than the discount rate established by HCPF.	Monitor	PASSED Effective Date: Sept. 7, 2021

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 21-1199 Consumer Digital Repair Bill Of Rights	Rep. Titone (D) Rep. Woodrow (D) Sen. Rodriguez (D)	The bill requires manufacturers of digital electronic equipment to make documentation, parts, embedded software, firmware, or tools to service the equipment available to any independent repair provider or owner.	Monitor	FAILED
HB 21-1202 Off-label Use Of Approved Drugs To Treat COVID-19	Rep. Luck (R)	The bill allows health care providers to prescribe and dispense therapeutic drugs that are FDA-approved for other purposes to treat COVID-19.	Monitor	FAILED
HB 21-1207 Overpayment Of Workers' Compensation Benefits	Rep. Daugherty (D) Rep. Benavidez (D) Sen. Lee (D) Sen. Fields (D)	This bill limits the definition of overpayments of workers' compensation benefits to include only those paid as a result of fraud, certain errors, or duplicate benefits as defined by the bill. Under current law, insurance carriers and employers are allowed to recoup these overpayments against future benefits and from the employees directly. By removing other types of overpayments, employees will be allowed to keep these additional payments.	Monitor	PASSED Effective Date: Jan. 1, 2022
HB 21-1227 Medicaid Nursing Facilities Demonstration Of Need	Rep. Lontine (D) Rep. Soper (R) Sen. Fields (D) Sen. Kirkmeyer (R)	The bill requires HCPF to develop a new certification process for nursing facilities seeking Medicaid certification on or after June 30, 2021. HCPF must develop, analyze, and enforce a demonstration of need to determine the viability of and required need for each new nursing facility seeking certification.	Monitor	PASSED Effective Date: Sept. 7, 2021
HB 21-1232 Standardized Health Benefit Plan Colorado Option	Rep. Roberts (D) Rep. Jodeh (D) Sen. Donovan (D)	The bill directs the Commissioner of Insurance to develop a standardized health insurance plan that private health insurance carriers are required to offer. It sets targets for premium rate reductions under the plan and creates a process by which health care providers and hospitals may be required to accept the plan and rates established by state regulators.	Monitor	PASSED Effective Date: June 16, 2021
HB 21-1237 Competitive Pharmacy Benefits Manager Marketplace	Rep. Lontine (D) Rep. Rich (R) Sen. Kirkmeyer (R) Sen. Moreno (D)	The bill directs the Department of Personnel and Administration (DPA) to enter into a contract with a pharmacy benefit manager (PBM) for the administration of state employee health insurance through a reverse-auction process prescribed by the bill, and then use that platform to audit claims. It creates avenues for other public and private health insurance plans to participate jointly with the state.	Monitor	PASSED Effective Date: June 7, 2021
HB 21-1251 Appropriate Use Of Chemical Restraints On A Person	Rep. Caraveo (D) Rep. Herod (D) Sen. Fields (D) Sen. Gonzales (D)	The bill sets new requirements regarding utilization of ketamine, including limits on when EMS providers may administer ketamine in pre-hospital settings and requiring EMS providers who administer ketamine to provide urgent transportation and record complaints.	Monitor	PASSED Effective Date: July 6, 2021
HB 21-1256 Delivering Health-care Services Through Telemedicine	Rep. Lontine (D) Sen. Winter (D) Sen. Simpson (R)	The bill directs HCPF, which administers the state's Medicaid program, to promulgate rules specifically relating to health care providers that deliver health care or mental health services exclusively or primarily through telemedicine.	Monitor	PASSED Effective Date: May 27, 2021

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 21-1258 Rapid Mental Health Response For Colorado Youth	Rep. Michaelson Jenet (D) Rep. Van Winkle (R) Sen. Buckner (D) Sen. Woodward (R)	The bill establishes the Temporary Youth Mental Health Services Program within the Office of Behavioral Health (OBH) in the CDHS. The program reimburses providers for providing up to three mental health sessions to youth screened into the program. The OBH must develop a process to select providers; determine a reasonable reimbursement rate; and implement a statewide public awareness outreach campaign.	Monitor	PASSED Effective Date: June 18, 2021
HB 21-1275 Medicaid Reimbursement For Services By Pharmacists	Rep. Lontine (D) Rep. Will (R) Sen. Ginal (D) Sen. Kirkmeyer (R)	The bill modifies the state's Medicaid program to include payment to pharmacists working in a collaborative practice agreement with a physician for services within their scope of practice and not duplicative of existing services covered by Medicaid. In addition, the bill authorizes Medicaid payments to authorized pharmacists to administer or dispense extended-release injectable medications for treatment of mental health or substance use disorders, which can be paid either as a pharmacy or medical benefit. Lastly, the bill requires that clinical pharmacy services be considered allowable costs in a federally qualified health center (FQHC) setting.	Support	PASSED Effective Date: July 7, 2021
HB 21-1276 Prevention Of Substance Use Disorders	Rep. Kennedy (D) Rep. Herod (D) Sen. Pettersen (D) Sen. Priola (R)	The bill prevents an insurance carrier that has a contract with a physical therapist, occupational therapist, chiropractor, or acupuncturist from prohibiting or penalizing these practitioners for providing a covered person with information on their financial responsibility for such services. It requires insurance carriers to provide coverage for an atypical opioid or non-opioid medication that is approved by the federal Food and Drug Administration (FDA) and prohibits carriers from mandating a covered person undergo step therapy or requiring pre-authorization.	Monitor	PASSED Effective Date: The bill takes effect July 1, 2021, except Sections 2 and 3, which take effect Jan. 1, 2023
HB 21-1279 Occupational Therapy Interstate Compact	Rep. Young (D) Rep. Holtorf (R) Sen. Fields (D)	The bill requires each health benefit plan to provide a cost-sharing benefit for a minimum number of physical therapy visits, occupational therapy visits, chiropractic visits, and acupuncture visits at a cost-sharing amount not to exceed the cost-sharing amount for a primary care visit for non-preventive services.	Support	PASSED Effective Date: Sept. 7, 2021
HB 21-1281 Community Behavioral Health Disaster Program	Rep. Cutter (D) Rep. Will (R) Sen. Pettersen (D)	The bill creates the Community Behavioral Health Disaster Preparedness and Response Program in CDPHE. The program is intended to enhance, support, and formalize behavioral health disaster preparedness and response activities of community behavioral health organizations.	Support	PASSED Effective Date: June 28, 2021
HB 21-1286 Energy Performance For Buildings	Rep. Kipp (D) Rep. A. Valdez (D) Sen. Priola (R) Sen. Pettersen (D)	The bill requires owners of large buildings to collect and report on energy use benchmarking data and comply with performance standards related to energy and greenhouse gas emissions and modifying statutory requirements regarding energy performance contracts.	Monitor	PASSED Effective Date: Sept. 7, 2021
HB 21-1286 Energy Performance For Buildings	Rep. Kipp (D) Rep. A. Valdez (D) Sen. Priola (R) Sen. Pettersen (D)	The bill requires owners of large buildings to collect and report on energy use benchmarking data and comply with performance standards related to energy and greenhouse gas emissions and modifies statutory requirements regarding energy performance contracts.	Monitor	PASSED Effective Date: Sept. 7, 2021

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
HB 21-1289 Funding For Broadband Deployment	Rep. Kennedy (D) Rep. Baisley (R) Sen. Bridges (D) Sen. Priola (R)	The bill creates the Colorado Broadband Office and grant programs in various departments to support broadband infrastructure development.	Monitor	PASSED Effective Date: June 28, 2021
HB 21-1300 Health-care Provider Liens For Injured Persons	Rep. Weissman (D) Rep. Neville (R) Sen. Smallwood (R) Sen. Zenzinger (D)	The bill establishes requirements for the creation and assignment of a health-care provider lien for a person injured in an accident.	Monitor	PASSED Effective Date: July 7, 2021
HB 21-1305 Mental Health Practice Act	Rep. Michaelson Jenet (D) Rep. Pelton (R) Sen. Winter (D)	The bill directs the State Board of Human Services in CDHS to promulgate rules specifying education requirements for licensed addiction counselors in lieu of the existing statutory requirements, and adjusts the experience requirements for licensure.	Monitor	PASSED Effective Date: July 1, 2021
SB 21-009 Reproductive Health Care Program	Sen. Jaquez Lewis (D) Rep. Caraveo (D)	The bill directs HCPF to administer a reproductive health care program to certain individuals who are not eligible for coverage under Medicaid only because of their citizenship or immigration status, beginning Jan. 1, 2022. The program allows eligible individuals to receive various reproductive health services upon request and at no cost.	Monitor	PASSED Effective Date: July 6, 2021
SB 21-011 Pharmacist Prescribe Dispense Opiate Antagonist	Sen. Fields (D) Rep. Mullica (D) Rep. Pelton (R)	The bill requires pharmacists who dispense opioids to inform individuals of the potential dangers of a high dose of an opioid, and offer to dispense them an opiate antagonist in certain situations. Pharmacists must also notify these individuals of available generic and brand-name opiate antagonists.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-016 Protecting Preventive Health Care Coverage	Sen. Pettersen (D) Sen. Moreno (D) Rep. Esgar (D) Rep. Mullica (D)	The bill adds certain STI and contraception services to the U.S. Preventive Services Task Force list to be covered without cost-sharing requirements and modifies provider requirements when examining or treating a minor for an STI. The bill requires that Medicaid cover family planning and family planning-related services and establishes that such services must be provided without cost-sharing for the client, and authorizes reimbursement for such services for any licensed health care provider.	Monitor	PASSED Effective Date: July 6, 2021
SB 21-021 Audiology And Speech-language Interstate Compact	Sen. Buckner (D) Sen. Hisey (R) Rep. Young (D) Rep. Carver (R)	The bill enters Colorado into the Audiology and Speech-Language Pathology Interstate Compact, pending its adoption by 10 or more states. The compact requires that member states recognize licenses for audiology or speech-language pathology issued by any other member state, including practicing telehealth services, and establishes minimum criteria for such licenses.	Support	PASSED Effective Date: Sept. 7, 2021
SB 21-022 Notification Requirements For Health Care Policy And Financing Audit	Sen. Bridges (D) Sen. Smallwood (R) Rep. Snyder (D) Rep. McKean (R)	The bill requires that when auditing a Medicaid provider concerning a possible overpayment, the auditor confirm the provider's contact information and provide information related to the audit via email and certified mail.	Support	PASSED Effective Date: Sept. 7, 2021

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 21-025 Family Planning Service For Eligible Individuals	Sen. Pettersen (D) Sen. Coram (R) Rep. Tipper (D) Rep. Will (R)	The bill directs HCPF to seek federal approval to expand family planning services to individuals earning up to the state's current limit for the Children's Basic Health Plan, which is 260 percent of the federal poverty level (FPL). The department must submit the request to the federal government by Jan. 31, 2022. The expanded program must not impose age, sex, or gender identity limitations on eligibility, and must include a presumptive eligibility process.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-028 Promulgation Of Public Health Rules And Orders	Sen. Kirkmeyer (R)	The bill clarifies that rules promulgated by the State Board of Health and CDPHE follow the State Administrative Procedures Act (APA).	Monitor	FAILED
SB 21-036 Additional Requirements Issue Emergency Public Health Order	Sen. Gardner (R)	This bill requires that a state agency follow the Administrative Procedures Act (APA) requirements for emergency rules when issuing an emergency public health order.	Monitor	FAILED
SB 21-038 Expansion of Complementary And Alternative Medicine	Sen. Zenzinger (D) Sen. Smallwood (R) Rep. Kennedy (D) Rep. Van Winkle (R)	The bill modifies geography based and diagnosis-based eligibility for the Complimentary or Alternative Medicine Pilot program, expanding eligibility statewide, and including additional primary diagnoses of multiple sclerosis, a brain injury, spina bifida, muscular dystrophy, or cerebral palsy.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-060 Expand Broadband Service	Sen. Donovan (D) Rep. Roberts (D)	The bill directs the Colorado Broadband Office in the Office of Information Technology (OIT) to contract with a nonprofit organization to create a reimbursement program to subsidize certain households for broadband service, based on household income and local broadband accessibility, or to provide another form of payment assistance, if the office and the nonprofit organization determine that a reimbursement program is not cost-effective.	Monitor	PASSED Effective Date: June 27, 2021
SB 21-061 Claims For Economic Damages Incurred By Minors	Sen. Story (D) Sen. Gonzales (D) Rep. Woodrow (D) Rep. Daugherty (D)	This bill eliminates the common law rule that only a parent may recover for the economic losses of a minor child before they reach the age of 18, and permits a minor to bring a claim to recover those damages.	Oppose	FAILED
SB 21-063 Multiple Employer Welfare Arrangements Offer Insurance	Sen. Sonnenberg (R) Sen. Fields (D) Rep. Hooton (D) Rep. Pelton (R)	The bill creates a process for multiple employer welfare arrangement (MEWA) associations to offer health care benefits to members without becoming licensed as insurers.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-073 Civil Action Statute Of Limitations Sexual Assault	Sen. Danielson (D) Sen. Coram (R) Rep. Michaelson Jenet (D) Rep. Soper (R)	The bill removes the statute of limitations for causes of action on or after Jan. 1, 2022, or for causes of action accruing prior to Jan. 1, 2022, if the six-year statute of limitations has not expired, and makes changes to claims restrictions and application of claims to a person or entity that is not the perpetrator of sexual misconduct.	Monitor	PASSED Effective Date: Jan. 1, 2022
SB 21-080 Protections For Entities During COVID-19	Sen. Woodward (R) Rep. Bird (D) Rep. Bradfield (R)	The bill establishes immunity from civil liability for entities acting in good faith to comply with public health guidelines from any COVID-19 related suit.	Monitor	FAILED

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 21-085 Actuarial Review Health Insurance Mandate Legislation	Sen. Ginal (D) Sen. Smallwood (R) Rep. Lontine (D)	The bill creates a process for actuarial review of proposed legislation that may create a new health benefit mandate on health insurance plans.	Support	FAILED
SB 21-089 Cancer Screening Services Through Colorado Department Of Public Health And Environment	Sen. Buckner (D)	The bill expands the Women's Wellness Connection program to include screening for other cancers beyond breast cancer.	Monitor	FAILED
SB 21-090 Small Group Health Insurance Plan Renewal	Sen. Smallwood (R) Rep. Hooton (D)	The bill allows an employer to continue to purchase small-group health insurance after growing to the point of no longer meeting the definition of small employer, or no longer meeting that definition for another reason, so long as the employer renews its existing health insurance plan.	Monitor	PASSED Effective Date: Sept. 6, 2021
SB 21-092 Sunset Surgical Assistants And Surgical Technologists	Sen. Kolker (D) Sen. Simpson (R) Rep. Jodeh (D) Rep. Soper (R)	The bill continues the regulation of surgical assistants and surgical technologists and makes modifications relating to surgical assistants or technologists facing disciplinary action.	Support	PASSED Effective Date: Sept. 1, 2021
SB 21-093 Sunset Continue Healthcare Infections Advisory Committee	Sen. Bridges (D) Rep. Lontine (D)	The bill continues the Healthcare-associated Infections and Antimicrobial Resistance Advisory Committee.	Support	PASSED Effective Date: May 7, 2021
SB 21-094 Sunset Continue State Board Of Pharmacy	Sen. Ginal (D) Sen. Winter (D) Rep. Roberts (D) Rep. Ortiz (D)	The bill continues the State Board of Pharmacy for nine years. The bill also includes various changes to the scope of practice for pharmacy professionals and the regulation of certain medical facilities.	Support	PASSED Effective Date: Sept. 1, 2021, except Section 4, which takes effect June 24, 2021
SB 21-097 Sunset Continue Medical Transparency Act	Sen. Garcia (D) Sen. Smallwood (R) Rep. Caraveo (D) Rep. Williams (R)	The bill continues the Healthcare Professionals Profile Program.	Support	PASSED Effective Date: Sept. 1, 2021
SB 21-098 Sunset Prescription Drug Monitoring Program	Sen. Jaquez Lewis (D) Sen. Pettersen (D) Rep. Mullica (D) Rep. Rich (R)	The bill continues the Prescription Drug Monitoring Program (PDMP) indefinitely and makes modifications to allow additional drugs to be reported to the program, establish data retention policies, and allow coroners to query the program.	Support	PASSED Effective Date: July 1, 2021
SB 21-101 Sunset Direct-entry Midwives	Sen. Fields (D) Sen. Story (D) Rep. Caraveo (D) Rep. Williams (R)	The bill makes several adjustments to the authority of direct-entry midwives including directing DORA to develop rules regarding direct-entry midwives in training and permitting DORA to order a physical or mental examination of a direct-entry midwife in certain situations. The bill also requires CDPHE to include on the birth certificate worksheet form whether a live birth occurred after a transfer to a hospital by a direct-entry midwife.	Monitor	PASSED Effective Date: May 28, 2021
SB 21-122 Opiate Antagonist Bulk Purchase And Standing Orders	Sen. Ginal (D) Rep. Froelich (D)	The bill aligns eligibility so entities are eligible for both the bulk purchase fund and for standing orders. It also allows CDPHE to prioritize purchases from the bulk purchase fund based on need and availability of opiate antagonists. Lastly, the bill clarifies that local governments have immunity when administering an opiate antagonist.	Support	PASSED Effective Date: April 15, 2021

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 21-123 Expand Canadian Rx Import Program	Sen. Ginal (D) Sen. Coram (R) Rep. McCormick (D) Rep. Lynch (R)	The bill authorizes the expansion of the Canadian Drug Importation Program to include other nations if federal action allows it.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-126 Timely Credentialing Of Physicians By Insurers	Sen. Fields (D) Rep. Michaelson Jenet (D) Rep. Soper (R)	The bill establishes timelines and parameters for insurance carriers to enter physicians into their networks, and requires the Commissioner of Insurance to investigate related complaints.	Support	PASSED Effective Date: Sept. 7, 2021
SB 21-127 Department Of Regulatory Agencies Regulator Authority During Declared Emergency	Sen. Ginal (D) Rep. Mullica (D)	The bill permits DORA to suspend certain statutes or rules during a declared disaster emergency.	Monitor	FAILED
SB 21-137 Behavioral Health Recovery Act	Sen. Pettersen (D) Sen. Winter (D) Rep. Michaelson Jenet (D) Rep. Kennedy (D)	The bill extends, modifies, and finances behavioral health programs throughout state government, such as continuing the requirement for opioid prescribing limitations, making the Harm Reduction Grant Program Fund continuously appropriated to CDPHE, and creates the Behavioral and Mental Health Cash Fund (BMH Fund) to be used for mental health treatment, substance misuse treatment, other behavioral health services, and more.	Support	PASSED Effective Date: June 28, 2021
SB 21-142 Health Care Access In Cases Of Rape Or Incest	Sen. Pettersen (D) Sen. Donovan (D) Rep. Caraveo (D) Rep. McCluskie (D)	The bill eliminates facility and provider type restrictions, allowing reimbursement for abortion services in cases of rape or incest, or when the life of the mother is endangered, when performed in any health facility and by any licensed health care provider acting within the scope of their license and in accordance with applicable federal regulations.	Monitor	PASSED Effective Date: May 21, 2021
SB 21-152 Rule Review Bill	Sen. Lee (D) Sen. Gardner (R) Rep. Herod (D) Rep. Soper (R)	This bill provides for the continuation of certain state department's rules and regulations and the expiration of others that were adopted or amended on or after Nov. 1, 2019, and before Nov. 1, 2020.	Monitor	PASSED Effective Date: May 10, 2021
SB 21-154 988 Suicide Prevention Lifeline Network	Sen. Kolker (D) Sen. Simpson (R) Rep. Cutter (D) Rep. Soper (R)	The bill creates the 9-8-8 Crisis Hotline Enterprise to fund the 9-8-8 Crisis Hotline, which will be operated by a non-profit organization.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-156 Nurse Intake Of 911 Calls Grant Program	Sen. Garcia (D) Rep. Mullica (D)	The bill creates a pilot grant program to finance nurse intake of 9-1-1 calls with the goal of diverting non-urgent calls from emergency rooms to more appropriate, lower-cost alternatives.	Monitor	PASSED Effective Date: June 18, 2021
SB 21-158 Increase Medical Providers For Senior Citizens	Sen. Danielson (D) Sen. Pettersen (D) Rep. Titone (D) Rep. Duran (D)	The bill modifies the Colorado Health Service Corps program in CDPHE to include geriatric advanced practice providers.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-161 Voluntary Reduce Greenhouse Gas Natural Gas Utility	Sen. Hansen (D) Sen. Coram (R) Rep. Arndt (D)	The bill requires the Public Utilities Commission (PUC) in DORA to adopt by rule, by July 31, 2022, a voluntary greenhouse gas emission reduction program for large and small natural gas utilities.	Monitor	FAILED
SB 21-163 Cost-benefit Analysis For Rules Additional Requirements	Sen. Rankin (R)	The bill modifies and expands the cost-benefit analyses that may be requested on proposed rules.	Monitor	FAILED

2021 CHA Bill Summary continued

Bill Number	Sponsors	Bill Summary	Position	Final Status & Effective Date
SB 21-169 Restrict Insurers' Use Of External Consumer Data	Sen. Buckner (D) Rep. Ricks (D) Rep. Esgar (D)	The bill prohibits an insurer from using any external consumer data and information source, algorithm, or predictive model that unfairly discriminates against an individual based on an individual's race, color, national or ethnic origin, religion, sex, sexual orientation, disability, or transgender status.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-175 Prescription Drug Affordability Review Board	Sen. Jaquez Lewis (D) Sen. Gonzales (D) Rep. Caraveo (D) Rep. Kennedy (D)	The bill creates the Prescription Drug Affordability Review Board, charged with reviewing prescription drug affordability data and creating caps on drug costs. Beginning Jan. 1, 2022, it is unlawful to purchase a prescription drug at a cost that exceeds the cap established by the board except for personal or familial use.	Monitor	PASSED Effective Date: June 16, 2021
SB 21-176 Protecting Opportunities And Workers' Rights Act	Sen. Winter (D) Sen. Pettersen (D) Rep. Lontine (D) Rep. Gray (D)	This bill expands discrimination and unfair employment protections for Colorado workers.	Oppose	FAILED
SB 21-181 Equity Strategic Plan Address Health Disparities	Sen. Fields (D) Sen. Coram (R) Rep. Herod (D) Rep. Caraveo (D)	This bill renames Health Disparities Grant Program, expands its functions, increases membership of the Health Equity Commission, and requires CDPHE to prepare a biennial report on health disparities, among other things.	Monitor	PASSED Effective Date: July 6, 2021
SB 21-193 Protection Of Pregnant People In Perinatal Period	Sen. Buckner (D) Rep. Herod (D)	The bill makes changes to statute concerning care for pregnant persons, which addresses medical malpractice insurance coverage, policies for health facilities that provide labor and delivery services, and the treatment of pregnant persons in correctional facilities.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-194 Maternal Health Providers	Sen. Buckner (D) Rep. Herod (D)	The bill places new requirements on certain health care providers, health benefit plans, and Colorado's Medicaid program related to pregnant persons, and requires CDPHE to conduct research and make recommendations related to perinatal health in Colorado.	Monitor	PASSED Effective Date: Sept. 7, 2021
SB 21-197 Workers' Compensation Physician	Sen. Rodriguez (D) Rep. Woodrow (D) Rep. Boesenecker (D)	This bill modifies the selection process for a treating physician in a workers' compensation case by allowing the injured worker to choose their treating physician from any Level I or Level II accredited physician from the Physician's Accreditation Program in the Division of Workers' Compensation in the Department of Labor and Employment, within certain timeframes, and requires employers or insurers to notify workers of this right.	Oppose	FAILED
SB 21-239 2-1-1 Statewide Human Services Referral System	Sen. Kolker (D) Sen. Zenzinger (D) Rep. Amabile (D) Rep. Young (D)	The bill requires the Colorado 2-1-1 to provide referrals to behavioral health services and requires the state to partner with Colorado 2-1-1 to conduct targeted outreach for the hotline.	Support	PASSED Effective Date: June 18, 2021
SB 21-243 Colorado Department Of Public Health And Environment Appropriation Public Health Infrastructure	Sen. Moreno (D) Rep. McCluskie (D)	This bill makes an appropriation to CDPHE for state and local public health administration and support.	Support	PASSED Effective Date: June 24, 2021