NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 07-242

BY SENATOR(S) Groff, Boyd, Fitz-Gerald, Shaffer, Tupa, Veiga, and Williams;
also REPRESENTATIVE(S) Frangas, Carroll T., Kefalas, Labuda, McGihon, and Todd.

CONCERNING THE STATUTORY CREATION OF THE EXISTING OFFICE OF HEALTH DISPARITIES IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 24-1-119, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-1-119. Department of public health and environment - creation. (11) THE OFFICE OF HEALTH DISPARITIES, CREATED BY SECTION 25-4-2204, C.R.S., SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS IF THE SAME WERE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

SECTION 2. 25-4-2202, Colorado Revised Statutes, is amended to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

25-4-2202. Definitions. As used in this part 22, unless the context otherwise requires:

(1) ~~"Department" means the department of public health and environment~~ "COMMISSION" MEANS THE MINORITY HEALTH ADVISORY COMMISSION CREATED IN SECTION 25-4-2206.

(2) ~~"State board" means the state board of health~~ "COUNCIL" MEANS THE INTERAGENCY HEALTH DISPARITIES LEADERSHIP COUNCIL CREATED IN SECTION 25-4-2207.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(4) "OFFICE" MEANS THE OFFICE OF HEALTH DISPARITIES CREATED IN SECTION 25-4-2204.

(5) "STATE BOARD" MEANS THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103.

SECTION 3. Part 22 of article 4 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

25-4-2204. Office of health disparities - creation. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THE OFFICE OF HEALTH DISPARITIES. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, SUBJECT TO THE PROVISIONS OF SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION, SHALL APPOINT THE DIRECTOR OF THE OFFICE, WHO SHALL BE THE HEAD OF THE OFFICE.

(2) THE OFFICE AND THE DIRECTOR OF THE OFFICE SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS SPECIFIED IN THIS PART 22 UNDER THE DEPARTMENT AS IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH TRANSFER IS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24, C.R.S.

25-4-2205. Powers and duties of the office of health disparities. (1) THE PURPOSE OF THE OFFICE IS TO SERVE IN A COORDINATING,

EDUCATING, AND CAPACITY-BUILDING ROLE FOR STATE AND LOCAL PUBLIC HEALTH PROGRAMS AND COMMUNITY-BASED ORGANIZATIONS. THE OFFICE SHALL BE DEDICATED TO ELIMINATING RACIAL, ETHNIC, AND RURAL HEALTH DISPARITIES IN COLORADO BY FOSTERING SYSTEMS CHANGE AND CAPACITY-BUILDING THROUGH COLLABORATION WITH MULTIPLE SECTORS IMPACTING MINORITY HEALTH AND WITH INPUT FROM A VARIETY OF MULTICULTURAL PROFESSIONALS.

(2) THE OFFICE SHALL HAVE THE FOLLOWING POWERS, DUTIES, AND FUNCTIONS:

(a) ADMINISTERING AND COORDINATING THE HEALTH DISPARITIES GRANT PROGRAM CREATED IN SECTION 25-4-2203;

(b) COORDINATING WITH AND PROVIDING ADVICE TO THE DEPARTMENT;

(c) PUBLISHING DATA REPORTS DOCUMENTING HEALTH DISPARITIES;

(d) PROVIDING EDUCATION TO THE PUBLIC ON RACIAL AND ETHNIC HEALTH DISPARITIES AND CULTURAL COMPETENCE;

(e) IMPROVING INTERPRETATION AND TRANSLATION SERVICES WITHIN PUBLIC HEALTH SYSTEMS;

(f) BUILDING CAPACITY WITHIN COMMUNITIES TO OFFER OR EXPAND PUBLIC HEALTH PROGRAMS TO BETTER MEET THE NEEDS OF A DIVERSE POPULATION;

(g) CONDUCTING STATE-LEVEL STRATEGIC PLANNING ON MINORITY HEALTH IMPROVEMENT;

(h) PROVIDING TECHNICAL ASSISTANCE TO THE DEPARTMENT IN CARRYING OUT ITS PROGRAMS AND TO LOCAL HEALTH DEPARTMENTS, COMMUNITY-BASED ORGANIZATIONS, AND COMMUNITIES IN THE STATE;

(i) PROMOTING WORKFORCE DIVERSITY WITHIN PUBLIC HEALTH SYSTEMS;

(j) COORDINATING AND STAFFING THE MINORITY HEALTH ADVISORY

COMMISSION CREATED IN SECTION 25-4-2206;

(k) COORDINATING AND SUPPORTING AN INTERAGENCY HEALTH DISPARITIES LEADERSHIP COUNCIL CREATED IN SECTION 25-4-2207.

(3) THE OFFICE SHALL REPORT TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR TO THE CHIEF MEDICAL OFFICER OF THE DEPARTMENT, AT THE DISCRETION OF THE EXECUTIVE DIRECTOR.

25-4-2206. Minority health advisory commission - creation - repeal. (1) THERE IS HEREBY CREATED IN THE OFFICE THE MINORITY HEALTH ADVISORY COMMISSION. THE PURPOSE OF THE COMMISSION IS TO: PROVIDE A FORMAL MECHANISM FOR COMMUNITY MEMBERS TO RAISE AWARENESS OF MINORITY HEALTH NEEDS, ISSUES, AND RESOURCES AND TO GIVE INPUT ON HEALTH PROGRAMMING AT THE LEVEL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT; HELP THE DEPARTMENT DETERMINE CULTURALLY INNOVATIVE DATA COLLECTION STRATEGIES; AND STRENGTHEN COLLABORATION BETWEEN THE DEPARTMENT AND MINORITY COMMUNITIES TO ENSURE THAT PROGRAMS AND SERVICES MEET MINORITY HEALTH NEEDS.

(2) (a) THE COMMISSION SHALL CONSIST OF THE FOLLOWING THIRTEEN MEMBERS, WHO SHALL BE APPOINTED AS FOLLOWS:

(I) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES, WHO SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(II) ONE MEMBER OF THE SENATE, WHO SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE;

(III) TEN MEMBERS WHO REPRESENT, TO THE EXTENT PRACTICAL, COLORADO'S ETHNIC, RACIAL, AND GEOGRAPHIC DIVERSITY, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT. AT A MINIMUM, THERE SHALL BE ONE MEMBER WHO REPRESENTS AFRICAN AMERICANS AND BLACKS IN COLORADO, ONE MEMBER WHO REPRESENTS ASIAN AMERICANS AND PACIFIC ISLANDERS IN COLORADO, ONE MEMBER WHO REPRESENTS NATIVE AMERICAN INDIANS IN COLORADO, AND ONE MEMBER WHO REPRESENTS LATINOS AND HISPANICS IN COLORADO.

(IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL SERVE

AS AN EX OFFICIO MEMBER OF THE COMMISSION.

(b) THE MEMBERS OF THE COMMISSION SHALL SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. THE MEMBERS OF THE COMMISSION SHALL SERVE WITHOUT COMPENSATION, BUT SHALL BE REIMBURSED BY THE DEPARTMENT FOR THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS PART 22.

(c) THE MEMBERS OF THE COMMISSION SHALL ELECT A CHAIR AND VICE-CHAIR FROM AMONG ITS MEMBERSHIP.

(3) THE COMMISSION SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

(a) PROVIDING A FORMAL MECHANISM FOR THE PUBLIC TO GIVE INPUT TO THE DEPARTMENT AT THE LEVEL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT;

(b) ADVISING THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AND THE DEPARTMENT ON DETERMINING CULTURALLY INNOVATIVE DATA COLLECTION STRATEGIES;

(c) STRENGTHENING COLLABORATION BETWEEN THE DEPARTMENT AND MINORITY COMMUNITIES;

(d) MAKING RECOMMENDATIONS TO THE OFFICE AND THE DEPARTMENT ON THE HEALTH DISPARITIES GRANT PROGRAM CREATED IN SECTION 25-4-2203, REGARDING FINANCIAL SUPPORT FOR LOCAL AND STATEWIDE INITIATIVES THAT ADDRESS PREVENTION, EARLY DETECTION, NEEDS ASSESSMENT, AND TREATMENT OF CANCER, CARDIOVASCULAR DISEASE, INCLUDING DIABETES, AND PULMONARY DISEASE IN MINORITY POPULATIONS.

(4) THE OFFICE SHALL PROVIDE STAFF TO THE COMMISSION.

(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017. PRIOR TO THE REPEAL OF THIS SECTION, THE COMMISSION SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 2-3-1203 (3), C.R.S.

25-4-2207. Interagency health disparities leadership council - creation. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT WITHIN THE OFFICE THE INTERAGENCY HEALTH DISPARITIES LEADERSHIP COUNCIL. THE PURPOSE OF THE COUNCIL IS TO PROVIDE LEADERSHIP, EDUCATION, AND RESOURCES TO COMPREHENSIVELY ELIMINATE HEALTH DISPARITIES IN COLORADO THROUGH COLLABORATION, CONSULTATION, RESEARCH, AND INCLUSION.

(2) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:

(a) THE EXECUTIVE DIRECTOR OR DESIGNEE OF STATE AGENCIES THAT IMPACT HEALTH DISPARITIES, INCLUDING BUT NOT LIMITED TO THE DEPARTMENTS OF CORRECTIONS, EDUCATION, HEALTH CARE POLICY AND FINANCE, HIGHER EDUCATION, HUMAN SERVICES, PERSONNEL, AND PUBLIC HEALTH AND ENVIRONMENT AND REPRESENTATION FROM OTHER STATE AGENCIES AS MAY BE REQUESTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT;

(b) ADDITIONAL MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR THAT REPRESENT OTHER INTERESTS AND MAY INCLUDE BUT ARE NOT LIMITED TO REPRESENTATIVES FROM:

(I) THE COLORADO CIVIL RIGHTS COMMISSION;

(II) THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, REGION VIII OFFICE;

(III) ONE OR MORE MEMBER ORGANIZATIONS REPRESENTING LOCAL PUBLIC HEALTH AGENCIES;

(IV) AN AGENCY REPRESENTING RURAL HEALTH;

(V) AN AGENCY REPRESENTING COMMUNITY HEALTH CLINICS;

(VI) AN AGENCY REPRESENTING HOSPITALS;

(VII) ONE OR MORE NONPROFIT AGENCIES;

(VIII) ONE OR MORE UNIVERSITIES OR COLLEGES;

(IX) ONE OR MORE COMMUNITIES IMPACTED BY HEALTH DISPARITIES;

(c) UP TO FIVE ADDITIONAL MEMBERS APPOINTED BY THE COUNCIL FROM NONPROFIT AGENCIES OR FROM COMMUNITIES IMPACTED BY HEALTH DISPARITIES.

(3) THE MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT COMPENSATION.

(4) THE MEMBERS OF THE COUNCIL SHALL ELECT A CHAIR AND VICE-CHAIR FROM AMONG ITS MEMBERSHIP.

SECTION 4. 25-4-2203 (1), (2) (e), and (3), Colorado Revised Statutes, are amended to read:

25-4-2203. Health disparities grant program - rules. (1) There is hereby created in the department the health disparities grant program, referred to in this section as the "grant program", to provide financial support for statewide initiatives that address prevention, early detection, and treatment of cancer and cardiovascular and pulmonary diseases in underrepresented populations. The ~~department~~ OFFICE shall administer the grant program. The state board shall award grants to selected entities from moneys transferred to the health disparities grant program fund created in section 24-22-117 (2) (f), C.R.S.

(2) The state board shall adopt rules that specify, but are not necessarily limited to, the following:

(e) Criteria for the ~~department~~ OFFICE and the state board to determine the effectiveness of the programs that receive grants pursuant to this section.

(3) The ~~department~~ COMMISSION shall review the applications received pursuant to this section and make recommendations to the state board regarding the entities that may receive grants and the amounts of the grants. WITHIN THIRTY DAYS AFTER RECEIVING THE COMMISSION'S RECOMMENDATIONS, the state board shall award grants to the selected entities, specifying the amount and duration of each award. A grant awarded pursuant to this section shall not exceed three years without

renewal.

SECTION 5. 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(dd) JULY 1, 2017: THE MINORITY HEALTH ADVISORY COMMISSION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CREATED IN SECTION 25-4-2206, C.R.S.

SECTION 6. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 7. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Joan Fitz-Gerald PRESIDENT OF THE SENATE	Andrew Romanoff SPEAKER OF THE HOUSE OF REPRESENTATIVES
Karen Goldman SECRETARY OF THE SENATE	Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

APPROVED_____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO