

1 | **COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

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2 | **Prevention Services Division**

3 | **6 CCR 1015-5**

4 | **STATE BOARD OF HEALTH RULES PERTAINING TO THE TOBACCO**
5 | **EDUCATION, PREVENTION, AND CESSATION GRANT PROGRAM**

6 | **1.1 Definitions**

- 7 | (1) "Board" means the State Board of Health.
- 8 | (2) "Conflict of Interest" with respect to a member of the Review Committee, means an
9 | immediate personal, private, or financial interest in any matter pending before the Review
10 | Committee. With respect to all other individuals, "conflict of interest" means a personal or
11 | financial interest which could reasonably be perceived as an interest that may influence
12 | an individual in his or her official duties.
- 13 | (3) "Financial Interest" means a substantial interest held by an individual which is an
14 | ownership or vested interest in an entity, or employment or a prospective employment for
15 | which negotiations have begun, or a directorship or officership in an entity.
- 16 | (4) "Division" means the Prevention Services Division formerly known as the Emergency
17 | Medical Services and Prevention Division.
- 18 | (5) "Entity" means any local government, local or regional health department, political
19 | subdivision of the state, county department of social services, state agency, state
20 | institution of higher education that offers a teacher education program, school, school
21 | district, or board of cooperative services or any private nonprofit, or not-for-profit
22 | community based organization. "Entity" also means a for-profit organization that applies
23 | for a grant for the sole purpose of providing a statewide public information campaign
24 | concerning tobacco use prevention and cessation.
- 25 | (6) "The Grant Program" Tobacco Education Program (TEP) means the state tobacco
26 | education, prevention, and cessation grant program established pursuant to Section 24-
27 | 22-117(2)(c), C.R.S., and Section 25-3.5-801, C.R.S. *et seq.*, and administered by the
28 | Colorado Department of Public Health and Environment.
- 29 | (7) "Review Committee" means the sixteen member committee set forth in Section 25-3.5-
30 | 804(5)(a), C.R.S., and which is responsible for (1) ensuring that program priorities are
31 | established consistent with the Colorado tobacco prevention and control strategic plan,
32 | (2) overseeing program strategies and activities, and (3) ensuring that the program grants
33 | are in compliance with Section 25-3.5-805, C.R.S.
- 34 | (8) "A35 Grant Funds" means the grant funds from moneys annually appropriated to the
35 | department from the tobacco education programs fund created in Section 24-22-117,
36 | C.R.S. The cash fund shall consist of moneys collected from the cigarette and tobacco
37 | taxes imposed pursuant to Section 21 of Article X of the state constitution.

38 | **1.2 Program Goals and Services**

- 39 | (1) **Program Goals.** The grant program goals areThe TEP is to provide funding for
40 | community based and statewide programs for the purposes of:

- 41 (a) Reducing initiation of tobacco use by children and youth;
- 42 (b) Promoting cessation of tobacco use among youth and adults; and
- 43 (c) Reducing exposure to second-hand smoke;
- 44 (d) Decreasing tobacco-related disparities.
- 45 (2) **Program Services.** An entity that applies for a grant shall demonstrate that the program
- 46 provides at least one of the following:
- 47 (a) Education designed for school-age children that, at minimum, addresses tobacco
- 48 use prevention and cessation strategies and the dangers of tobacco use;
- 49 (b) Education programs, including but not limited to school, worksite, mass media,
- 50 and health-care setting programs, designed to prevent or reduce the use of all
- 51 types of tobacco products or help reduce exposure to secondhand smoke;
- 52 (c) Counseling regarding the use of all types of tobacco products;
- 53 (d) Programs that address the prevention and cessation of the abuse of various
- 54 types of drugs, with an emphasis on prevention and cessation of tobacco use;
- 55 (e) Tobacco use and substance abuse prevention and cessation services addressed
- 56 to specific population groups such as adolescents and pregnant women and
- 57 provided within specific ethnic and low-income communities;
- 58 (f) Training of teachers, health professionals, and others in the field of tobacco use
- 59 and prevention;
- 60 (g) Tobacco addiction prevention and treatment strategies designed specifically for
- 61 persons with mental illness;
- 62 (h) Activities to prevent the sale or furnishing by other means of cigarettes or
- 63 tobacco products to minors;
- 64 (i) Programs that are designed to eliminate health disparities among segments of
- 65 the population that have higher than average tobacco burdens; and
- 66 (j) Programs that are designed for the purpose of evaluating the entire statewide
- 67 program or individual components of the program.
- 68 (3) Any program funded through the Division may be presented in combination with other
- 69 substance abuse programs.
- 70 (4) The majority of moneys annually awarded to grantees shall be for evidence-based
- 71 programs and programs that prevent and reduce tobacco use among youth and young
- 72 adults.

73 **1.3 Procedures for Grant Application.** The Division shall solicit applications for two components of

74 the program services: a Core Component and/or a Competitive Component. The Core

75 Component grants shall support proposals to implement current evidence-based strategies and

76 established best practices. The Competitive Component grants shall seek to advance the

77 evidence base for tobacco control through the development, implementation, and evaluation of

78 innovative and/or promising practices.

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(1) **Core Component Grant Application Contents.**

- (a) At a minimum, all applications shall be submitted to the Division in accordance with these rules and shall contain the following information:
- (i) Project description, including how the applicant will implement the proposed strategies, needs of the population(s) or community to be served, and potential challenges or barriers to implementing proposed work.
~~A description of the experience of the applicant including work with the target community and in providing tobacco education, cessation and prevention services.~~
 - (ii) A description of program infrastructure.
~~A description of the specific needs of the population to be served.~~
 - (iii) ~~A plan for hiring and retaining qualified staff that represents the community's racial and cultural diversity.~~
 - (iv) A description of the applicant's capacity to comply with and monitor the implementation of the grant requirements.
~~A description of all program evaluation activities.~~
 - (v) ~~The scope of community support for the program and for the applicant as the lead organization in its implementation.~~
 - (vi) ~~A description of the existing partnerships between the applicant and other key partners.~~
 - (vii) ~~A summary of the major strengths of the applicant and the community that will lead to successful implementation of the program.~~
 - (iii)x A detailed scope of work or work plan.
 - (iv)x A detailed operating budget.

(2) **Competitive Component Grant Application Contents.**

- (a) At a minimum, all applications shall be submitted to the Division in accordance with these rules and shall contain the following information:
- (i) A description of the experience of the applicant including work with the target community and in providing tobacco education, cessation and prevention services.
 - (ii) A description of the specific needs of the population to be served.
 - (iii) Have or have a plan for hiring and retaining qualified staff that represents the community's racial and cultural diversity.
 - (iv) A description of the applicant's capacity to comply with and monitor the implementation of the grant requirements.

- 115 (v) A description of all program evaluation activities.
- 116 (vi) The scope of community support for the program and for the applicant as
- 117 the lead organization in its implementation.
- 118 (vii) A description of the existing partnerships between the applicant and
- 119 other key partners.
- 120 (viii) A summary of the major strengths of the applicant and the community
- 121 that will lead to successful implementation of the program.
- 122 (ix) A detailed scope of work or work plan.
- 123 (x) A detailed operating budget.

- 124 (b) In addition to the requirements contained in Section 1.3(a), if the entity applying
- 125 for a grant is a school district or board of cooperative services it shall
- 126 demonstrate that:
- 127 (i) The program to be operated with moneys received from the grant
 - 128 program ~~TEP~~ has not been previously provided by the school district or
 - 129 board of cooperative services; and
 - 130 (ii) Demonstrate that the program is specifically designed to appeal to and
 - 131 address the concerns of the age group to which the program will be
 - 132 presented.

133 ~~(32)~~ **Timelines for Grant Application**

- 134 (a) Grant applications may be solicited up to three times each fiscal year on dates
- 135 determined by the division.

136 **1.4 Criteria for Selecting Entities**

- 137 (1) The Division and, after October 1, 2005, the Review Committee shall solicit applications
- 138 and recommend the Board award grants for proposals in accordance with the programs
- 139 authorized by title 25, article 3.5, part 8, C.R.S.
- 140 (2) At a minimum, the Division shall use the following criteria for selecting potential grantees:
- 141 (a) The applicant meets the definition of an "entity" as defined in Section 1.1;
- 142 (b) The entity submits a completed application in accordance with the requirements
- 143 in Section 1.3;
- 144 (c) The entity does not use ~~TEP~~ grant monies from the grant program to supplant
- 145 funding for existing programs;
- 146 (d) The entity has the capacity to adequately administer and implement the program;
- 147 (e) The entity demonstrates that it complies with the requirements of Section 1.2;
- 148 (f) The entity demonstrates that its geographic service area and/or the population
- 149 served is consistent with the goal of establishing programs throughout the state
- 150 and providing services to persons of all ages; and

151 (g) ~~The entity demonstrates that the proposed program is consistent with the~~
152 ~~Colorado tobacco prevention and control strategic plan.~~

153 (3) In reviewing grant applications for programs for persons with mental illness, the Division
154 and after October 1, 2005, the Review Committee shall consult with the programs for
155 public psychiatry at the University of Colorado Health Sciences Center, the National
156 Alliance for the Mentally Ill, the Mental Health Association of Colorado, the Department of
157 Human Services and other entities as appropriate.

158 (4) The Review Committee shall review and evaluate the applications received and make
159 recommendations to the Board regarding those entities that may receive grants and the
160 amounts and duration of said grants.

161 **1.5 Awarding of Program Grants** - The Board shall award grants to the selected entities, specifying
162 the amount and duration of the grant.

163 (1) **Criteria for the Grant Amount and Duration of Program Grants.** ~~The Board shall~~
164 ~~specify the duration of the grant; however, no grant awarded shall exceed three years~~
165 ~~without renewal.~~ At a minimum, the Board shall consider the following factors when
166 determining amount and duration, as appropriate:

- 167 (a) ~~Community readiness;~~
168 (b) Community need;
169 (c) The scope of work;
170 (d) Population served;
171 (e) The level and types of services to be provided;
172 (f) The availability of tobacco tax funds; and
173 (g) The capacity of the grantee.

174 (2) **Criteria for Duration of Program Grants.** ~~The Board shall specify the duration of the~~
175 ~~grant; however, no grant awarded shall exceed three years without renewal.~~ ~~At a~~
176 ~~minimum, the Board shall consider the following factors for determining the duration of~~
177 ~~the grant, as appropriate:~~

- 178 ~~(a) Community readiness;~~
179 ~~(b) Community need;~~
180 ~~(c) The scope of work;~~
181 ~~(d) Population served;~~
182 ~~(e) The level and types of services to be provided;~~
183 ~~(f) The availability of funds; and~~
184 ~~(g) The capacity of the grantee.~~

185 (23) **Funds for ~~School Age Children~~ Youth and Young Adults.** The Board shall assure that
186 the majority of the total amount awarded each year is awarded to evidence-based
187 programs and programs that prevent and reduce tobacco use among youth and young
188 adults.

189 (34) **Funds to eliminate health disparities.** The Board shall assure that at least fifteen
190 percent of the total amount awarded each year is awarded for the purpose of eliminating
191 health disparities among minority and high-risk populations that have higher than average
192 tobacco burdens.

193 (45) **Funds to grantees of the Tony Grampsas youth services program.** The Board shall
194 allocate up to 15% of the total amount awarded each year to grantees of the Tony
195 Grampsas youth services program, Section 25-20.5-201, C.R.S., for proven tobacco
196 prevention and cessation programs.

197 1.6 Responsibilities of Grantees

198 (1) **Program Evaluation.** Grantees shall be responsible for program evaluation consisting
199 of the following:

200 (a) ~~An evaluation of the implementation of the program, including but not limited to~~
201 ~~the number of persons served and the services provided. The development and~~
202 ~~implementation of a detailed written evaluation plan and the preparation of a final~~
203 ~~evaluation report. At minimum, the plan shall describe how the grantee will measure the~~
204 ~~effects of the program against the goals it set out to accomplish; and~~

205 (b) ~~An explanation~~ ~~determination~~ of how the results achieved by the program
206 contribute to the achievement of the ~~Division Grant P~~ program goals as stated in Section
207 1.2 (1).

208 (2) **Annual Reports.** Grantees shall submit annual reports to the Division ~~at no later than 30~~
209 ~~days after~~ the end of the reporting period. At a minimum, the reports shall include the
210 following information:

211 (a) The number of persons served and the services provided;

212 (b) The amount of the grant award received by the grantee for the reporting period;

213 (c) The results achieved by the program, specifying the goals of the program and the
214 criteria used in measuring attainment of the goals; and

215 (d) An explanation of how the results achieved by the program contribute to the
216 achievement of program goals as stated in Section 1.2 (1).

217 1.7 Conflict of Interest

218 (1) **Applicability.** This section applies to any person:

219 (a) Who reviews completed applications, or in;

220 (b) Who makes recommendations to the Board regarding those entities that may
221 receive grants and the amounts of said grants, or

222 (c) Who is a member of the Board.

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(2) **Conflict of Interest, Prohibited Behavior.** No person who is involved in the activities specified in Subsection (1) of this section shall have a conflict of interest, as that term is defined in Section 1.1(2) herein.

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(3) **Responsibilities of Persons with a Potential Conflict of Interest.** A person who believes that he or she may have a conflict of interest shall disclose such conflict of interest as soon as he or she becomes aware of the conflict of interest.

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(a) If the person is a member of the Review Committee, that person shall not vote on the matter for which the conflict of interest is relevant. Other activities of members of the Review Committee are subject to paragraph (c) of this paragraph (3).

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(b) If the person is a member of the Board and acting in his or her capacity as a Board member, the person shall publicly disclose the conflict of interest to the Board. If the Board determines the existence of a conflict of interest, the person shall recuse himself or herself from any of the activities specified in Section 1.7(1) relating thereto.

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(c) Any other person shall disclose the conflict of interest in writing to the division. If the Division determines the existence of a conflict of interest, the person shall recuse himself or herself from any of the activities specified in Section 1.7(1) relating thereto.

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