

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 07-0904.01 Debbie Haskins

SENATE BILL 07-242

SENATE SPONSORSHIP

Groff,

HOUSE SPONSORSHIP

Frangas,

Senate Committees
State, Veterans & Military Affairs

House Committees
Health and Human Services

A BILL FOR AN ACT

101 **CONCERNING THE STATUTORY CREATION OF THE EXISTING OFFICE OF**
102 **HEALTH DISPARITIES IN THE DEPARTMENT OF PUBLIC HEALTH**
103 **AND ENVIRONMENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Statutorily creates the office of health disparities in the department of public health and environment. Specifies the powers and duties of the office, including administering the health disparities grant program and eliminating racial, ethnic, and rural health disparities in Colorado by fostering systems change and collaboration and education with multiple sectors impacting minority health with input from multicultural

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
2nd Reading Unamended
April 24, 2007

SENATE
3rd Reading Unamended
April 16, 2007

SENATE
2nd Reading Unamended
April 12, 2007

representatives. Creates in statute the minority health advisory commission and the interagency health disparities leadership council. Makes conforming amendments.

States that this act can be implemented within existing appropriations.

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:

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

1 CREATED IN SECTION 25-1-103.

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

5 **25-4-2204. Office of health disparities - creation.** (1) THERE
6 IS HEREBY CREATED IN THE DEPARTMENT OF PUBLIC HEALTH AND
7 ENVIRONMENT THE OFFICE OF HEALTH DISPARITIES. THE EXECUTIVE
8 DIRECTOR OF THE DEPARTMENT, SUBJECT TO THE PROVISIONS OF SECTION
9 13 OF ARTICLE XII OF THE STATE CONSTITUTION, SHALL APPOINT THE
10 DIRECTOR OF THE OFFICE, WHO SHALL BE THE HEAD OF THE OFFICE.

11 (2) THE OFFICE AND THE DIRECTOR OF THE OFFICE SHALL EXERCISE
12 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS SPECIFIED IN
13 THIS PART 22 UNDER THE DEPARTMENT AS IF THE SAME WERE
14 TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH
15 TRANSFER IS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF
16 1968", ARTICLE 1 OF TITLE 24, C.R.S.

17 **25-4-2205. Powers and duties of the office of health disparities.**

18 (1) THE PURPOSE OF THE OFFICE IS TO SERVE IN A COORDINATING,
19 EDUCATING, AND CAPACITY-BUILDING ROLE FOR STATE AND LOCAL PUBLIC
20 HEALTH PROGRAMS AND COMMUNITY-BASED ORGANIZATIONS. THE
21 OFFICE SHALL BE DEDICATED TO ELIMINATING RACIAL, ETHNIC, AND RURAL
22 HEALTH DISPARITIES IN COLORADO BY FOSTERING SYSTEMS CHANGE AND
23 CAPACITY-BUILDING THROUGH COLLABORATION WITH MULTIPLE SECTORS
24 IMPACTING MINORITY HEALTH AND WITH INPUT FROM A VARIETY OF
25 MULTICULTURAL PROFESSIONALS.

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

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

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

5 (c) PUBLISHING DATA REPORTS DOCUMENTING HEALTH
6 DISPARITIES;

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

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

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

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

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

19 (i) PROMOTING WORKFORCE DIVERSITY WITHIN PUBLIC HEALTH
20 SYSTEMS;

21 (j) COORDINATING AND STAFFING THE MINORITY HEALTH
22 ADVISORY COMMISSION CREATED IN SECTION 25-4-2206;

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

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

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

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

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

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

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

26 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL SERVE
27 AS AN EX OFFICIO MEMBER OF THE COMMISSION.

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

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

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

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

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

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

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

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

27 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017. PRIOR TO

1 THE REPEAL OF THIS SECTION, THE COMMISSION SHALL BE REVIEWED AS
2 PROVIDED FOR IN SECTION 2-3-1203 (3), C.R.S.

3 **25-4-2207. Interagency health disparities leadership council**

4 **- creation.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT WITHIN
5 THE OFFICE THE INTERAGENCY HEALTH DISPARITIES LEADERSHIP COUNCIL.
6 THE PURPOSE OF THE COUNCIL IS TO PROVIDE LEADERSHIP, EDUCATION,
7 AND RESOURCES TO COMPREHENSIVELY ELIMINATE HEALTH DISPARITIES
8 IN COLORADO THROUGH COLLABORATION, CONSULTATION, RESEARCH,
9 AND INCLUSION.

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

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

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

21 (I) THE COLORADO CIVIL RIGHTS COMMISSION;

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

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

26 (IV) AN AGENCY REPRESENTING RURAL HEALTH;

27 (V) AN AGENCY REPRESENTING COMMUNITY HEALTH CLINICS;

- 1 (VI) AN AGENCY REPRESENTING HOSPITALS;
- 2 (VII) ONE OR MORE NONPROFIT AGENCIES;
- 3 (VIII) ONE OR MORE UNIVERSITIES OR COLLEGES;
- 4 (IX) ONE OR MORE COMMUNITIES IMPACTED BY HEALTH
- 5 DISPARITIES;

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

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

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

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

15 **25-4-2203. Health disparities grant program - rules.** (1) There
16 is hereby created in the department the health disparities grant program,
17 referred to in this section as the "grant program", to provide financial
18 support for statewide initiatives that address prevention, early detection,
19 and treatment of cancer and cardiovascular and pulmonary diseases in
20 underrepresented populations. The ~~department~~ OFFICE shall administer
21 the grant program. The state board shall award grants to selected entities
22 from moneys transferred to the health disparities grant program fund
23 created in section 24-22-117 (2) (f), C.R.S.

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

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

1 to this section.

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

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

12 **2-3-1203. Sunset review of advisory committees.** (3) The
13 following dates are the dates for which the statutory authorization for the
14 designated advisory committees is scheduled for repeal:

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

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

22 **SECTION 7. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety.