

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 15, 2011

Date

Committee on Local Government and Energy.

After consideration on the merits, the Committee recommends the following:

SB11-063 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, line 10, strike "and".
- 2 Page 3, strike line 12 and substitute "accessibility; and
- 3 (i) As critical delivery points for the provision of health care and
- 4 emergency services to a community, and major contributors to a
- 5 community's workforce, hospitals bring a unique capacity to increase
- 6 positive health outcomes for Colorado residents and to educate
- 7 stakeholders about the safety and quality of health care in their
- 8 community."
- 9 Page 3, after line 23 insert:
- 10 "(b) Under Senate Bill 08-194, the department of public health
- 11 and environment was required to develop a comprehensive, statewide
- 12 public health improvement plan, referred to herein as the "state plan", on
- 13 or before December 31, 2009, and every five years thereafter, and, as
- 14 soon as practicable after the approval of each state plan, each county or
- 15 district public health agency was required to prepare a county or district
- 16 public health plan, referred to herein as the "local plan", which was
- 17 required to be consistent with the state plan;"
- 18 Reletter succeeding paragraphs accordingly.
- 19 Page 4, line 19, strike "11-\_\_\_," and substitute "11-063,".

1 Page 4, line 24, strike "11-\_\_\_\_" and substitute "11-063".

2 Page 4, line 27, strike "11-\_\_\_\_" and substitute "11-063".

3 Page 6, after line 4 insert:

4 "(II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (h)  
5 SHALL BE CONSTRUED TO PRECLUDE THE DEVELOPMENT OF A HEALTH  
6 CARE FACILITY OR HOSPITAL THAT IS NOT INCLUDED IN THE MASTER PLAN  
7 OF A COUNTY OR REGION, NOR SHALL ANYTHING IN SAID SUBPARAGRAPH  
8 (I) BE CONSTRUED AS REQUIRING ANY HOSPITAL OR FACILITY TO OFFER  
9 ANY SERVICE THAT IS INCLUDED IN THE PLAN."

10 (III) TO THE EXTENT PRACTICABLE, A COUNTY OR REGION THAT  
11 ELECTS TO INCLUDE A COMMUNITY HEALTH ELEMENT IN ITS MASTER PLAN  
12 IS STRONGLY ENCOURAGED TO COLLABORATE WITH A PUBLIC HEALTH  
13 AGENCY OF THE COUNTY OR DISTRICT, AS APPLICABLE, IN THE INCLUSION  
14 OF SUCH ELEMENT AND TO FURTHER USE INFORMATION CONTAINED IN A  
15 PUBLIC HEALTH PLAN GOVERNING THE COUNTY OR REGION PURSUANT TO  
16 THE PROVISIONS OF SUBPART 3 OF PART 5 OF ARTICLE 1 OF TITLE 25,  
17 C.R.S., IN THE INCLUSION OF SUCH ELEMENT."

18 Renumber succeeding subparagraph accordingly.

19 Page 6, line 8, strike "HOSPITALS;"

20 Page 6, line 11, after "PHARMACIES." add "FOR PURPOSES OF THIS  
21 PARAGRAPH (h), "HEALTH CARE FACILITY" SHALL NOT INCLUDE A  
22 HOSPITAL, OR ANY FACILITY OWNED OR OPERATED BY A HOSPITAL, THAT  
23 IS LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S."

24 Page 7, after line 22 insert:

25 (b) TO THE EXTENT PRACTICABLE, A MUNICIPALITY THAT ELECTS  
26 TO INCLUDE A COMMUNITY HEALTH ELEMENT IN ITS MASTER PLAN IS  
27 STRONGLY ENCOURAGED TO COLLABORATE WITH A PUBLIC HEALTH  
28 AGENCY OF THE MUNICIPALITY OR OF THE COUNTY OR DISTRICT WITHIN  
29 WHICH THE MUNICIPALITY IS LOCATED, AS APPLICABLE, IN THE INCLUSION  
30 OF SUCH ELEMENT AND TO FURTHER USE INFORMATION CONTAINED IN A  
31 PUBLIC HEALTH PLAN GOVERNING THE MUNICIPALITY PURSUANT TO THE  
32 PROVISIONS OF SUBPART 3 OF PART 5 OF ARTICLE 1 OF TITLE 25, C.R.S., IN

1 THE INCLUSION OF SUCH ELEMENT."

2 "(c) NOTHING IN PARAGRAPH (a) OF THIS SUBSECTION (5.5) SHALL  
3 BE CONSTRUED TO PRECLUDE THE DEVELOPMENT OF A HEALTH CARE  
4 FACILITY OR HOSPITAL THAT IS NOT INCLUDED IN THE MASTER PLAN OF A  
5 MUNICIPALITY, NOR SHALL ANYTHING IN SAID PARAGRAPH (a) BE  
6 CONSTRUED AS REQUIRING ANY HOSPITAL OR FACILITY TO OFFER ANY  
7 SERVICE THAT IS INCLUDED IN THE PLAN."

8 Reletter succeeding paragraph accordingly.

9 Page 7, line 26, strike "HOSPITALS;"

10 Page 8, line 2, after "PHARMACIES." add "FOR PURPOSES OF THIS  
11 SUBSECTION (5.5), "HEALTH CARE FACILITY" SHALL NOT INCLUDE A  
12 HOSPITAL, OR ANY FACILITY OWNED OR OPERATED BY A HOSPITAL, THAT  
13 IS LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S."

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