

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0143.01 Kristen Forrestal x4217

HOUSE BILL 12-1052

HOUSE SPONSORSHIP

Summers,

SENATE SPONSORSHIP

Boyd and Roberts,

House Committees

Health and Environment
Economic and Business Development
Finance
Appropriations

Senate Committees

Health and Human Services
Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE COLLECTION OF HEALTH CARE WORK FORCE DATA**
102 **FROM HEALTH CARE PROFESSIONALS, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires the director of the division of registrations in the department of regulatory agencies (director) to implement a system to collect health care work force data from health care professionals who are eligible for the Colorado health service corps, from practical and

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
3rd Reading Unamended
February 29, 2012

HOUSE
Amended 2nd Reading
February 28, 2012

professional nurses, and from pharmacists. The bill requires a voluntary advisory group designated by the director of the primary care office to recommend the structure of the data elements to be collected regarding specific information about each health care professional and his or her practice. The director is authorized to accept and expend any gifts, grants, or donations that may be available from any private or public sources for the implementation of the data collection system.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) It is important for the state of Colorado to collect accurate and
5 up-to-date health care professional data on a statewide basis in order to
6 determine the medically underserved areas of the state and to accurately
7 guide the education and training needs for health care professionals in this
8 state;

9 (b) In order to successfully collect the needed data, the department
10 of regulatory agencies and the department public health and environment
11 need to work together.

12 (2) Therefore, it is the intent of the general assembly to encourage
13 the department of regulatory agencies and the department of public health
14 and environment to work together in a timely manner to accomplish the
15 goals of collecting and analyzing health care professional data in order to
16 help meet the health care professional needs for all of Colorado.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 24-34-110.5 as
18 follows:

19 **24-34-110.5. Health care work force data collection - notice of**
20 **funding through gifts, grants, and donations - repeal.** (1) ON OR
21 BEFORE JULY 1, 2013, THE DIRECTOR OF THE DIVISION OF REGISTRATIONS
22 SHALL IMPLEMENT A SYSTEM TO COLLECT HEALTH CARE WORK FORCE

1 DATA FROM HEALTH CARE PROFESSIONALS WHO ARE ELIGIBLE FOR THE
2 COLORADO HEALTH SERVICE CORPS PURSUANT TO PART 7 OF ARTICLE 20.5
3 OF TITLE 25, C.R.S., FROM PRACTICAL AND PROFESSIONAL NURSES
4 LICENSED PURSUANT TO ARTICLE 38 OF TITLE 12, C.R.S., AND FROM
5 PHARMACISTS WHO ARE LICENSED PURSUANT TO ARTICLE 22 OF TITLE 12,
6 C.R.S., COLLECTIVELY REFERRED TO IN THIS SECTION AS "HEALTH CARE
7 PROFESSIONALS". EACH HEALTH CARE PROFESSIONAL SHALL SUBMIT THE
8 DATA AS PART OF THE INITIAL LICENSURE PROCESS AND UPON THE
9 RENEWAL OF HIS OR HER LICENSE. NO EXECUTIVE DEPARTMENT OR BOARD
10 IS RESPONSIBLE FOR VERIFYING THE DATA OR DISCIPLINING A HEALTH
11 CARE PROFESSIONAL FOR NONCOMPLIANCE WITH THIS SECTION.

12 (2) THE DIRECTOR OF THE DIVISION OF REGISTRATIONS SHALL
13 REQUEST EACH HEALTH CARE PROFESSIONAL TO PROVIDE DATA
14 RECOMMENDED BY THE DIRECTOR OF THE PRIMARY CARE OFFICE IN
15 CONSULTATION WITH THE ADVISORY GROUP FORMED PURSUANT TO
16 SUBSECTION (3) OF THIS SECTION. THE DIRECTOR OF THE DIVISION OF
17 REGISTRATIONS HAS FINAL APPROVAL AUTHORITY REGARDING THE FORM
18 AND MANNER OF THE DATA COLLECTED. THE DATA COLLECTED CONCERNS:

- 19 (a) EACH PRACTICE ADDRESS OF THE HEALTH CARE PROFESSIONAL;
20 (b) THE NUMBER OF HOURS THE HEALTH CARE PROFESSIONAL
21 PROVIDES DIRECT PATIENT CARE AT EACH PRACTICE LOCATION;
22 (c) ANY SPECIALTIES OF THE HEALTH CARE PROFESSIONAL, IF
23 APPLICABLE;
24 (d) INFORMATION ABOUT EACH PRACTICE SETTING TYPE;
25 (e) THE HEALTH CARE PROFESSIONAL'S EDUCATION AND TRAINING
26 RELATED TO HIS OR HER PROFESSION; AND
27 (f) THE YEAR OF BIRTH OF THE HEALTH CARE PROFESSIONAL.

1 (3) (a) THE DIRECTOR OF THE PRIMARY CARE OFFICE CREATED IN
2 SECTION 25-20.5-603, C.R.S., SHALL DESIGNATE AN ADVISORY GROUP
3 COMPOSED OF A REPRESENTATIVE OF THE DEPARTMENT OF REGULATORY
4 AGENCIES AS DETERMINED BY THE EXECUTIVE DIRECTOR, THE DIRECTOR
5 OF THE DIVISION OF REGISTRATIONS IN THE DEPARTMENT OF REGULATORY
6 AGENCIES, OR HIS OR HER DESIGNEE, REPRESENTATIVES OF THE AFFECTED
7 HEALTH CARE PROFESSIONS, AND INDIVIDUALS WITH EXPERTISE IN HEALTH
8 CARE WORK FORCE RESEARCH, ANALYSIS, AND PLANNING TO BE
9 CONVENED BY A NONPROFIT STATEWIDE MEMBERSHIP ORGANIZATION
10 THAT PROVIDES PROGRAMS AND SERVICES TO ENHANCE RURAL HEALTH
11 CARE IN COLORADO. THE MEMBERS OF THE ADVISORY GROUP SHALL
12 SERVE WITHOUT COMPENSATION OR REIMBURSEMENT FOR ACTUAL OR
13 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.
14 THE ADVISORY GROUP SHALL RECOMMEND THE STRUCTURE OF THE DATA
15 ELEMENTS IN SUBSECTION (2) OF THIS SECTION. THE ADVISORY GROUP
16 SHALL CONSIDER, BUT IS NOT LIMITED TO USING, THE DIVISION OF
17 REGISTRATION'S EXISTING DATA FIELDS AS A POSSIBLE STRUCTURE FOR
18 THE DATA ELEMENTS RECOMMENDED IN THIS SECTION. THE DIRECTOR OF
19 THE DIVISION OF REGISTRATIONS HAS FINAL APPROVAL AUTHORITY
20 REGARDING THE STRUCTURE OF THE DATA ELEMENTS.

21 (b) THE DIRECTOR OF THE DIVISION OF REGISTRATIONS SHALL
22 ENSURE THAT THE DATA PROVIDED BY HEALTH CARE PROFESSIONALS IS
23 AVAILABLE TO THE PRIMARY CARE OFFICE IN ELECTRONIC FORMAT FOR
24 ANALYSIS. A MEMBER OF THE PUBLIC MAY REQUEST, IN WRITING,
25 UNANALYZED DATA FROM THE PRIMARY CARE OFFICE. DATA AVAILABLE
26 TO THE PUBLIC MUST BE LIMITED TO UNIQUE RECORDS THAT DO NOT
27 INCLUDE NAMES OR OTHER IDENTIFYING INFORMATION.

1 (c) THE ADVISORY GROUP IS REPEALED, EFFECTIVE SEPTEMBER 1,
2 2022. BEFORE THE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES
3 SHALL REVIEW THE ADVISORY GROUP PURSUANT TO SECTION 2-3-1203,
4 C.R.S.

5 (4) (a) THE DIRECTOR OF THE DIVISION OF REGISTRATIONS IS
6 AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM
7 PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT
8 THAT THE DIRECTOR MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT
9 IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION
10 OR ANY OTHER LAW OF THE STATE. THE DIRECTOR SHALL TRANSMIT ALL
11 PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR
12 DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO
13 THE DIVISION OF REGISTRATIONS CASH FUND CREATED IN SECTION
14 24-34-105. THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
15 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DIRECTOR FOR THE
16 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS
17 SECTION.

18 (b) (I) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION,
19 THE DIRECTOR SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN HE
20 OR SHE HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR
21 DONATIONS TO IMPLEMENT THIS SECTION AND SHALL INCLUDE IN THE
22 NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3).

23 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2015.

24 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add** (3)
25 (ii.5) as follows:

26 **2-3-1203. Sunset review of advisory committees.** (3) The
27 following dates are the dates for which the statutory authorization for the

1 designated advisory committees is scheduled for repeal:

2 (ii.5) SEPTEMBER 1, 2022:

3 (I) THE ADVISORY GROUP APPOINTED BY THE DIRECTOR OF THE
4 PRIMARY CARE OFFICE PURSUANT TO SECTION 24-34-110.5 (3), C.R.S.

5 **SECTION 4.** In Colorado Revised Statutes, 25-3-103.7, **amend**
6 **(6) as follows:**

7 **25-3-103.7. Employment of physicians - when permissible -**
8 **conditions - definitions.** (6) When applying for initial facility licensure
9 and upon each application for license renewal, every health care facility
10 licensed or certified by the department that employs a physician shall
11 report to the department the number of physicians on the health care
12 facility's medical staff. The report shall separately identify the number of
13 such THOSE physicians who are employed by the health care facility under
14 separate contract to the health care facility and independent of the health
15 care facility. A health care facility that is a FOHC, rural health clinic,
16 school-based health center, or PACE organization that employs a
17 physician shall report the information required by this subsection (6) to
18 the department by January 1 of each year.

19 **SECTION 5. Appropriation.** (1) In addition to any other
20 appropriation, there is hereby appropriated, out of any moneys in the
21 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
22 Colorado Revised Statutes, not otherwise appropriated, to the department
23 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
24 of \$36,745, or so much thereof as may be necessary, for the
25 implementation of this act.

26 (2) In addition to any other appropriation, there is hereby
27 appropriated to the governor - lieutenant governor - state planning and

1 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$35,520
2 or so much thereof as may be necessary, for allocation to the office of
3 information technology for the provision of programming services to the
4 department of regulatory agencies related to the implementation of this
5 act. Said sum is from reappropriated funds received from the department
6 of regulatory agencies out of the appropriation made in subsection (1) of
7 this section.

8 **SECTION 6. Effective date.** This act takes effect July 1, 2012.

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