2017 Legislation (as of 3-09-17)

Support or Strongly Support

The bill recreates and re-enacts the 2009 Parental Involvement in K-12 Education Act which allows employees of an employer subject to Family and Medical Leave Act (federal) to take leave from work for the purpose of attending academic activities for or with the employer’s child. Leave in the 2009 law was limited to 6 hours per month and 18 hours in any academic year. The 2009 statute carried a repeal date of Sept. 1, 2015. The bill extends the 2009 Act with no repeal date and requires school districts to publish information about the Act. (Passed the House awaiting scheduling in Senate Committee)

The bill prohibits corporal punishment of children in by employees or volunteers in a public school, licensed child care center, a family child care home, or a specialized youth group facility. (Passed the House. Assigned to Senate Judiciary—hearing: 2/15/17)

The bill makes all communication during the restorative justice process made by all participants confidential unless the participants waive confidentiality or an offender or other participant commits a chargeable offense during the process. (Passed the House and passed third reading in the Senate.)

The bill extends the CO cash benefit Home Care Allowance to families of persons enrolled in or eligible for the Supported Living Services (SLS) HCBS waiver until such time as the Consumer Directed Attendant Support Services (CDASS) option is available through the SLS waiver. The Arc suggests that the bill needs amending to ensure that people using the SLS waiver have time to enroll in services and utilized the CDASS option before losing the benefit. (Passed House Public Health Care and Human Services—awaiting scheduling in House Appropriations.)

The bill updates certain terms in statute and requires that all CO laws be updated to eliminate the terms mentally retarded, mentally deficient person, mental deficiency, mental defect, or mental deficient and changes statutes to refer to persons with an intellectual and developmental disability and persons with a mental illness.
(Passed both chambers—on the way for signing.)

The bill allows licensed Physical Therapists and PT assistants in certain states which have an agreement with Colorado to become licensed in Colorado. (Passed House Finance—awaiting scheduling in House Appropriations)

The bill repeals the CO Family support loan program and transfers funds from the loan program to the Family Support Grant Program. Outstanding debt on loans made from the original program is not forgiven by the bill. (Passed both chambers—sent to the Governor for signing.)

HB 17-1080—Requirements for Durable Medical Equipment Suppliers—Rep. Young, Sen. Sonnenberg
The bill amends the definition of durable medical equipment (DME) supplier to include a person or entity that intends to bill the state Medicaid program and requires the suppliers to do business in Colorado and be licensed by the CO Secretary of State. (Assigned to House Health, Insurance, and Environment—hearing: 03-14-17)

The bill creates the office of public guardianship within the Judicial Dept. and establishes three pilot programs in an urban, rural, and frontier area. Following a report (1-1-2021) to the General Assembly, the office of public guardianship may be expanded, continued or discontinued at the discretion of the assembly. The report will quantify the need and cost for public guardianship for indigent and incapacitated adults and, to the extent possible, quantify the cost benefit to the state and analyze off-set costs in other systems. The bill is funded by gifts, grants, and donations. (Passed House Judiciary—awaiting scheduling in House Appropriations)

HB 17-1101—Division of Youth Corrections Monetary Incentives Award Program—Rep. Rosenthal, Sens. Todd and Priola
The bill creates the youth corrections monetary incentives program which can provide monetary awards and incentives for academic, social, and psychological achievement for youth committed to the Department of Human Services- Division of Youth Corrections. The bill is funded by gifts, grants and donations. (Passed the House—Senate Judiciary—03-15-17)

HB 17-1109—Child Sex Assault Pattern Offense Place of Trial—Reps. Danielson and Carver, Sens. Fields and Cooke
The bill allows prosecuting in one jurisdiction a person who has committed sexual assaults against a child in different jurisdictions. The Arc supports the bill but indicated to the sponsors that similar legislation for adults who have been sexually assaulted should be considered for future legislation. Because of the narrow title of the bill, adults cannot be added. (Passed the House—assigned to Senate Judiciary)

The bill requires certain health care professions regulated by the state to have criminal background history record checks. Includes podiatrists, dentists and dental hygienists, medical doctors, physician assistant, anesthesiologists, nurses, certified nurse aides (CNA,) optometrists, and veterinarians. The bill requires employers to notify the state board of nursing when a CNA is terminated from employment in lieu of resignation; amends the Medical Transparency Act of 2010 to include persons applying for nurse licensure and allows the board of nursing to fine employers who fail to report. (Passed House Health, Insurance and Environment—referred to House Finance.)

The bill is from an Interim Committee on Colorado Department of Health Care Policy and Financing (HCPF) and Medicaid Clients. It requires the administrative law judge who hears Medicaid appeals to review the legal sufficiency of the notice of action from which the recipient is appealing and makes other changes regarding legal sufficiency. Passed the House—assigned to Senate Health and Human Services.

The bill would have clarifies that a Medicaid recipient who files an appeal does not need to make an affirmative request to continue Medicaid benefits during the appeal. (Postponed Indefinitely in House Public Health and Human Services)

The bill adds to the list of mandatory reports of suspected child abuse or neglect and would extend the period of time required for reporting. (Awaiting vote in House Public Health and Human Services)

The bill would change the formula for determining revenue growth allowable under the Taxpayers Bill of Rights. Currently, state spending is limited to previous year’s spending plus a factor based on population growth and inflation—the Consumer Price Index. If this bill passes and voters approve it, the CPI factor would be replaced by a 5 year rolling average of per capita income. (Passed House 2nd reading—3-07-17)

HB 17-1188—Harassment Sexual Orientation or Disability—Rep. Foote and Sens. Coram and Moreno
Current CO law prohibits bias motivated crimes and makes harassment or intimidation of a person because of race, color, religion, or national origin a Class 1 misdemeanor. While the statute also prohibits harassment or intimidation because of mental or physical disability and sexual orientation, these crimes are not Class 1 misdemeanors. The bill would add those crimes to the misdemeanor determination. (Referred to House Judiciary)

The bill creates provisions that remove the requirements for detention of juveniles over the age of 10 but younger than 13 unless the child has been arrested or adjudicated for a peolony or weapons charge that is a misdemeanor or felony. (Assigned to House Judiciary)

HB 17-1210—School Discipline for Pre-school through Grade 2—Reps. Lontine and Buckner, Sens. Fields and Priola
The bill requires schools to provide alternatives to suspension or expulsion for students in pre-school-2nd grade. The bill requires schools to adopt prevention and early intervention strategies to recuse the need for early childhood and early elementary grade suspensions and expulsions. (Assigned to House Judiciary)

SB 17-011 Study Transportation Access for People with Disabilities—Sen. Lambert, Rep. Lawrence
The bill establishes a demonstration forum to study solutions to transportation access for people with disabilities. It creates a team from several departments of states to study the transportation needs of citizens in El Paso and Teller counties, make recommendations and submit a report to the General Assembly by Dec. 31, 2017. The study forum is directed to consider alternatives to currently reimbursed transportation venues and technology advances that could simplify transportation for people with disabilities. (Passed both chambers—sent to the Governor for signing)
The bill addresses a number of issues relating to the restoration of competency for juveniles and adults including consideration of whether or not competency services should occur on an out-patient basis if the defendant is on bond, requires that competency services should be provided in the least restrictive environment, assigns oversight to the Colorado Dept. of Human Services—Office of Behavioral Health. (Passed Senate Judiciary—referred to Senate Appropriations)

SB 17-024—Clarifying Hearsay Exemption for crimes committed against a person with Intellectual or Developmental Disabilities—Rep. Young, Sen. Fields
Current CO law allows a hearsay exemption for persons with IDD when a defendant is charged with a crime against an at-risk person. The bill clarifies that the hearsay exemption applies if the defendant is charged under increased penalties for at-risk persons. Passed the Senate—referred to House Judiciary)

SB17-033—Delegate Dispensing of Over the Counter Medications—Rep. Lawrence, Sen. Aguilar
The bill allows a professional nurse to delegate to another person, after proper training, the administration of non-prescription medications with the signed consent of a parent or guardian for minors. (Passed the Senate—assigned to House Health, Insurance, and Environment)

SB17-057—Colorado Healthcare Affordability and Sustainability Enterprise—Sen. Guzman
The bill would allow the Hospital Provider fund to be considered as an enterprise fund and thereby allow revenue from the Hospital Provider fees to be excluded from TABOR refund caps. (Introduced in Senate)

The bill would have prohibited insurance plans from excluding a drug or medication from its covered formulary if the drug was covered at the time the person enrolled and would have prohibited the costs of drugs to enrollees for the plan year. (Postponed Indefinitely in Senate Health and Human Services)

SB 17-088—Participating Provider Network Selection Criteria—Reps. Van Winkle and Hooton and Sens. Holbert and Williams
The bill would require health insurers to develop, use and disclose the criteria used to select providers for participating networks, ensure that such criteria is based on nationally recognized evidence based standards and must make the standards available to providers and the public and sets up a process whereby the carrier must notify a provider in writing of reasons to terminate, deny, or restrict a provider’s participation. (Second reading in the Senate laid over to March 10)

SB 17-091—Allow Medicaid Home Health Services in the Community—Rep. Ginal and Sen. Moreno
The bill will allow Medicaid state plan benefits for home health services to be provided in community settings rather than only in a residence. (Passed Senate Health and Human Services—referred to Senate Appropriations)

SB 17-121—Improve Medicaid Client Correspondence—Reps. Landgraf and Danielson and Sens. Lundberg and Crowder
The bill require the state of CO to engage in an ongoing process to ensure that Medicaid clients receive information about coverage, denial, reduction or suspension of benefits in clear, readable, and understandable terms appropriate for the client. (Passed Senate Health and Human Services—referred to Senate Appropriations)
The bill would have require higher education institutions that receive public funding to develop, report and regularly review policies on sexual assault, domestic violence, dating violence, stalking, and hate crimes. (Postponed Indefinitely in State Veterans & Military Affairs)

Oppose or Strongly Oppose

The bill would have allowed persons to cite religious beliefs to act or refuse to act in a manner that would be contrary to those beliefs except if the action is based on race or ethnicity. (Postponed Indefinitely in House State Veterans and Military Affairs)

The bill would have allowed school employees to dispense medication with parental or guardian consent, grant civil and criminal immunity to such employees, and allow parents or guardians to opt out of the collection and storage of data related to the child—including documentation of vaccinations. (Postponed Indefinitely in House Health, Insurance, and Environment)

The bill would repeal the 2010 Colorado Health Benefit Exchange Act passed consistent with Medicaid expansion and buy-in options of the Affordable Care Act. (Passed Senate Finance Committee—referred to Senate Appropriations)

The bill would allow non-Medicaid providers to treat Medicaid clients and bill them for services. The Arc opposed this bill in 2016 and does so again—we believe it could further reduce the number of Medicaid providers and could jeopardize eligibility for SSI if the money used to pay for a service is considered reportable income. (Passed the Senate—referred to House)

The bill would make optional a current requirement that a county must create a child protection team if 50 or more referrals related to child abuse or neglect are received in a given year. (Passed the Senate—assigned to House Public Health and Human Services)

Monitored Bills Currently in Play


HB 17-1060—Reporting Requirements of the CO Dept. of Health Care Policy and Financing to the General Assembly—Rep. Thurlow and Sen. Tate

HB 17-1110—Jurisdiction Juvenile Court Parental Responsibilities—Rep. Beckman


HB 17-1204—Juvenile Delinquency Record Expungement—Rep. Lee


SB 17-065—Transparency in Direct Pay Health Care Prices—Rep. Lontine and Sen. Lundberg

SB 17-079—Limit Amendments to Initiated Statutory Laws—Sen. Court

Other major legislation proposed but not introduced:

Conflict Free Case Management—Rep. Young for the Joint Budget Committee

Ban on Prone Restraint in Schools—Rep. Lontine

Requirements for Background Checks and Creation of a Registry For Providers of Services to At-Risk Adults—Rep. Lontine


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