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SENATE BILL 24-135

BY SENATOR(S) Buckner and Smallwood, Coleman, Exum;
also REPRESENTATIVE(S) Brown and Winter T., Amabile, Bird,
Clifford, Duran, English, Jodeh, Mabrey, Martinez, Ortiz, Snyder, Velasco,
Woodrow, Young.

CONCERNING THE MODIFICATION OF STATE AGENCY AND DEPARTMENT
REPORTING REQUIREMENTS.

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

SECTION 1. In Colorado Revised Statutes, **repeal** 10-16-134 as follows:

10-16-134. Health-care transparency - information required - definition. ~~(1) On or before March 1, 2009, and on or before March 1 each year thereafter, each carrier shall submit to the division a list of the average reimbursement rates, either statewide or by geographic area, as defined by rule of the commissioner pursuant to section 10-16-104.9, for the average inpatient day or the average reimbursement rate for the twenty-five most common inpatient procedures based upon the most commonly reported diagnostic-related groups.~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~(2) (a) The commissioner shall post the information submitted pursuant to subsection (1) of this section on the division's website.~~

~~(b) The division shall ensure that the website and information is easy to navigate, contains consumer-friendly language, and fulfills the intent of this section.~~

~~(3) For purposes of this section, "diagnostic-related group" means the classification assigned to an inpatient hospital service claim based on the patient's age and sex, the principal and secondary diagnoses, the procedures performed, and the discharge status.~~

SECTION 2. In Colorado Revised Statutes, 10-16-704, **repeal** (14) and (16) as follows:

10-16-704. Network adequacy - required disclosures - balance billing - rules - legislative declaration - definitions. ~~(14) On or before March 1 of each year, each carrier shall submit information to the commissioner, in a form and manner determined by the commissioner, concerning the use of out-of-network providers and out-of-network facilities by covered persons and the impact on premium affordability for consumers.~~

~~(16) Notwithstanding section 24-1-136 (11)(a)(I), on or before July 1, 2021, and each July 1 thereafter, the commissioner shall provide a written report to the health and human services committee of the senate and the health and insurance committee of the house of representatives, or their successor committees, and shall post the report on the division's website summarizing:~~

~~(a) The information submitted to the commissioner in subsection (14) of this section; and~~

~~(b) The number of arbitrations filed; the number of arbitrations settled, arbitrated, and dismissed in the previous calendar year; and a summary of whether the arbitrations were in favor of the carrier or the out-of-network provider or health-care facility. The list of arbitration decisions must not include any information that specifically identifies the provider, health-care facility, carrier, or covered person involved in each arbitration decision.~~

SECTION 3. In Colorado Revised Statutes, **amend** 14-7-103 as follows:

14-7-103. District and county attorneys to report actions. On or before December 1 of each year, ~~it shall be the duty of~~ the district attorney and the county attorney ~~to~~ SHALL make a written report to the ~~governor of the state~~ JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES, stating the number of reports, provided for in section 14-7-101, received from the courts of the county or state and the nature and result of any action directed in this ~~article~~ ARTICLE 7 by such officers respectively to recover from such parents the expenses of the care and maintenance of such children. If no action has been taken, such report shall detail the reason for the failure of the officer to take action. ~~It is the duty of~~ The county commissioners ~~to~~ SHALL pay any court costs or other expenses necessary for the prosecution of any suit provided for in this ~~article~~ ARTICLE 7. Nothing in this ~~article~~ ARTICLE 7 shall be construed to repeal any law of this state concerning the responsibility of parents to support their children, ~~or providing for the punishment of parents or other persons responsible for the delinquency or dependency of children, or providing for the punishment of any parents for the nonsupport of their children; and nothing in such law shall prevent proceedings under this~~ ~~article~~ ARTICLE 7 in any proper case.

SECTION 4. In Colorado Revised Statutes, **repeal** 18-6-803.9 as follows:

18-6-803.9. Assaults and deaths related to domestic violence - report. ~~Notwithstanding section 24-1-136 (11)(a)(I), the Colorado bureau of investigation shall prepare a report by November 1, 1995, and by November 1 of each year thereafter, for the governor and the members of the general assembly on the number of assaults related to and the number of deaths caused directly by domestic violence, including, but not limited to, homicides of victims, self-defense killings of alleged perpetrators, and incidental killings of children, peace officers, persons at work, neighbors, and bystanders in the course of episodes of domestic violence.~~

SECTION 5. In Colorado Revised Statutes, 19-3-304.5, **amend** (6) as follows:

19-3-304.5. Emergency possession of certain abandoned children

- **definition.** (6) Notwithstanding section 24-1-136 (11)(a)(I), the state department of human services shall submit an annual report to the general assembly ~~beginning January 1, 2001,~~ NOT LATER THAN MARCH 1 that compiles the monthly reports, required pursuant to subsection (5) of this section, of the number of children abandoned pursuant to this section.

SECTION 6. In Colorado Revised Statutes, **repeal** 22-35-112 as follows:

22-35-112. Reports. ~~(1)(a) Upon request by the department, a local education provider shall submit to the department any data that the department reasonably requires for the purpose of preparing and submitting the reports described in subsection (2) of this section. In submitting data to the department, each local education provider shall use whenever possible the state data reporting system described in section 22-11-501. The department shall seek to minimize and eliminate the duplication of data reporting required under this paragraph (a). The department in particular shall note the data collection and reporting already required and conducted by the department, public schools, and local education providers.~~

~~(b) Upon request by the department of higher education, an institution of higher education shall submit to the department of higher education any data that the department of higher education reasonably requires for the purpose of preparing and submitting the reports described in subsection (2) of this section.~~

~~(2) On or before April 1, 2022, and on or before May 1 each year thereafter, the department and the department of higher education shall collaborate to prepare and submit to the education committees of the senate and house of representatives, or any successor committees, a report concerning the concurrent enrollment of qualified students in postsecondary courses, including academic courses and career and technical education courses, and courses related to apprenticeship programs and internship programs. The report must include, but need not be limited to:~~

~~(a) The number and names of local education providers and institutions of higher education that have entered into cooperative agreements, including cooperative agreements concerning course work related to apprenticeship programs and internship programs;~~

~~(b) The number of qualified students who participated in a concurrent enrollment program in the previous school year, including subtotals for each local education provider and each institution of higher education;~~

~~(c) Demographic information about qualified students who participated in a concurrent enrollment program in the previous school year;~~

~~(d) The total number of credit hours completed at each institution of higher education by qualified students who participated in a concurrent enrollment program in the previous school year;~~

~~(e) The total number of developmental education courses completed at each institution of higher education in the previous school year by qualified students participating in a concurrent enrollment program;~~

~~(f) The total tuition costs paid by local education providers to institutions of higher education in the previous school year on behalf of qualified students who participated in concurrent enrollment programs in the previous school year, including subtotals for each local education provider and each institution of higher education;~~

~~(g) For the previous school year, the total number of qualified students that local education providers designated as ASCENT program participants and the total number of qualified students the department designated as participants in the teacher recruitment education and preparation program;~~

~~(h) The postsecondary degree and certificate programs in which ASCENT or TREP program participants were concurrently enrolled in the previous school year, including subtotals indicating how many ASCENT or TREP program participants concurrently enrolled in each postsecondary degree and certificate program;~~

~~(i) Data indicating the total number and percentages of qualified students who failed to complete at least one course in which they concurrently enrolled; and~~

~~(j) To the extent possible, data indicating the total number and percentage of qualified students who concurrently enrolled in college~~

~~courses who have completed a postsecondary degree.~~

~~(k) Repealed:~~

~~(3) The reports described in subsection (2) of this section may include quantitative and qualitative analyses concerning student and administrator attitudes and behaviors, program costs and productivity, academic and administrative policies, program availability and variety, or any objectives of the ASCENT program described in section 22-35-108 (1), or any objectives of the TREP program described in section 22-35-108.5 (1), which studies may be prepared by a party other than the department or the department of higher education.~~

SECTION 7. In Colorado Revised Statutes, 22-35-108.5, **amend** (7) as follows:

22-35-108.5. Teacher recruitment education and preparation (TREP) program - objectives - selection criteria - rules. (7) On or before July 1, 2031, the department shall prepare and submit to the education committees of the senate and house of representatives, or any successor committees, a report ~~based on the compiled annual reports described in section 22-35-112~~, concerning the outcomes achieved by the TREP program and the effectiveness of the TREP program in meeting the objectives described in section 22-35-108.5 (1). Based on the outcomes achieved and the evaluation of effectiveness, the department shall include in the report a recommendation as to whether the TREP program should be continued, amended, or repealed.

SECTION 8. In Colorado Revised Statutes, 23-1-105.5, **amend** (2)(a) as follows:

23-1-105.5. Duties and powers of the commission with respect to student fees - report on tuition and fees. (2) (a) On or before January 15, 2018, and ~~on or before January 15 each year~~ ANNUALLY thereafter, the department shall report to the joint budget committee and the education committees of the house of representatives and the senate, or any successor committees, concerning the governing boards' fee policies, the collection and use of student fees, and tuition rates.

SECTION 9. In Colorado Revised Statutes, 23-1-108, **amend**

(1.5)(f)(II) as follows:

23-1-108. Duties and powers of the commission with regard to systemwide planning - reporting - definitions. (1.5) (f) (II) Beginning December 1, 2017, and ~~no later than December 1 of each year~~ ANNUALLY thereafter, the department shall report to the joint budget committee and to the education committees of the house of representatives and of the senate, or their successor committees, concerning the master plan goals and each institution's progress toward meeting those goals. The department shall post the information contained in the report on the department's website. Notwithstanding the provisions of section 24-1-136 (11)(a)(I) to the contrary, the department's report continues indefinitely.

SECTION 10. In Colorado Revised Statutes, 23-1-113, **amend** (1.5)(b), (9)(a) introductory portion, (10), (10.5)(a) introductory portion, and (10.5)(c) as follows:

23-1-113. Commission directive - admission standards for baccalaureate and graduate institutions of higher education - policy - report - definitions. (1.5) (b) Each governing board shall adopt policies and procedures that are aligned with the policy established by the commission pursuant to subsection (1.5)(a) of this section and that ensure that, to the extent required by the commission policy, each matriculated student who may need additional supports to be successful in gateway courses in English and mathematics has access to supplemental academic instruction. The institution that enrolls the student shall select which measures to use from among those that meet the standards established in the commission policy. The commission, in consultation with the governing boards, shall collect information regarding the measures used by the institutions for placement to help analyze the data reported pursuant to subsection (9) of this section. ~~and by section 23-1-113.3(4)~~

(9) (a) Notwithstanding section 24-1-136 (11)(a)(I) to the contrary, on or before February 15, 2012, and ~~on or before April 15 each year~~ ANNUALLY thereafter, the department of higher education shall submit to the state board of education, the department of education, and the education committees of the house of representatives and the senate, or any successor committees, a report, subject to available data, for the high school graduating classes of the preceding six academic years concerning:

(10) On or before February 15, 2009, and ~~on or before April 15 each year~~ ANNUALLY thereafter, the department of higher education shall submit to the department of education the unit records used for its reporting purposes under this section to enable the department of education to evaluate the effectiveness of the alignment of the preschool through postsecondary education systems in preparing students who demonstrate postsecondary and workforce readiness and subsequently succeed in postsecondary education and to enable the department of higher education to disseminate the unit records to the appropriate school districts.

(10.5) (a) On or before June 30, 2023, and ~~on or before June 30 each year~~ ANNUALLY thereafter, the department shall publish and submit to the education committees of the house of representatives and the senate, or any successor committees, an annual report for the previous academic year. The data elements in the report are intended to determine whether requiring or not requiring a national assessment test score as an eligibility criterion for the admissions process for state-supported baccalaureate and graduate institutions of higher education provides greater diversity among institutions without causing negative student outcomes that are directly attributable to the change in the admissions process. The report must specify:

(c) ~~Notwithstanding section 24-1-136 (11)(a)(I) to the contrary, on or before June 30, 2023, and on or before June 30 each year thereafter, the department shall submit to the education committees of the house of representatives and the senate, or any successor committees, the reports described in subsections (10.5)(a) and (10.5)(b) of this section.~~ NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN SUBSECTION (10.5)(a) OF THIS SECTION CONTINUES INDEFINITELY, AND BOTH REPORTS REQUIRED TO BE SUBMITTED PURSUANT TO SUBSECTION (10.5)(b) OF THIS SECTION MUST BE SUBMITTED AT THE TIMES SPECIFIED IN THAT SUBSECTION (10.5)(b).

SECTION 11. In Colorado Revised Statutes, 23-1-113.3, **amend** (5.5); and **repeal** (4)(a) as follows:

23-1-113.3. Commission directive - developmental education courses - report. (4) (a) ~~Notwithstanding section 24-1-136 (11)(a)(I) to the contrary, the department shall transmit annually to the education committees of the senate and the house of representatives, or any successor committees, the joint budget committee, the commission, and the department of~~

~~education an analysis of the data:~~

~~(I) Regarding students who are identified as needing additional supports to be successful in gateway courses in English and mathematics, pursuant to section 23-1-113 (1.5), and who receive supplemental academic instruction or are enrolled in developmental education courses; and~~

~~(II) Regarding the costs of providing supplemental academic instruction or developmental education courses pursuant to section 23-1-113 (1.5) and whether students who receive supplemental academic instruction or complete developmental education courses successfully complete the requirements for graduation.~~

(5.5) The institution and the department shall report the information specified in ~~subsections (3) and (4)~~ SUBSECTION (3) of this section on an individual student basis, using each student's unique student identifier.

SECTION 12. In Colorado Revised Statutes, 23-1-113.5, **amend** (4)(d)(I)(A) as follows:

23-1-113.5. Commission directive - resident admissions - report - definitions. (4) (d) (I) (A) Beginning October 15, 2018, and ~~no later than October 15 each year~~ EVERY THREE YEARS thereafter, the department shall submit a report to the joint budget committee and to the education committees of the house of representatives and of the senate, or their successor committees, demonstrating that the institutions included in this subsection (4) have met resident admission and enrollment requirements set forth in this section for the prior fiscal year; reporting the total number of resident and nonresident students enrolled in each institution of higher education before and after Colorado scholars are counted as two in-state students pursuant to subsection (5)(a) of this section; reporting how state institutions of higher education that utilize the Colorado scholars program use associated tuition revenue for purposes of merit- and need-based scholarships for resident students; and reporting the number of entering first-year Colorado residents, by county, who qualify as a Colorado scholar.

SECTION 13. In Colorado Revised Statutes, 23-1-134, **amend** (3) introductory portion as follows:

23-1-134. Commission directive - open educational resources -

course notice - report - definitions. (3) Notwithstanding the requirement in section 24-1-136 (11)(a)(I), on or before October 1, 2021, and on or before ~~October 1~~ DECEMBER 1 each year thereafter through ~~October 1, 2026~~, DECEMBER 1, 2026, the department shall prepare and shall submit to the commission, the council, the joint budget committee, and the education committees of the senate and the house of representatives, or any successor committees, a report concerning implementation and development of open educational resources around the state. The department shall work with the council in preparing the report, and the public institutions of higher education shall collaborate with the department and council in providing the information necessary for the report. At a minimum, the report must include:

SECTION 14. In Colorado Revised Statutes, 23-4.5-103, **amend** (5)(e) as follows:

23-4.5-103. Colorado open educational resources council - created - duties - report. (5) The council has the following duties:

(e) To work with the department to prepare an annual report concerning the use of open educational resources at the public institutions of higher education in the state, as described in ~~section 23-1-134 (4)~~ SECTION 23-1-134 (3).

SECTION 15. In Colorado Revised Statutes, 24-31-104.5, **repeal** (3) as follows:

24-31-104.5. Funding for insurance fraud investigations and prosecutions - creation of fund. (3) ~~Notwithstanding section 24-1-136 (11)(a)(I), the attorney general shall provide annual reports to the joint budget committee, the senate business, labor, and technology committee, and the house economic and business development committee, or any successor committees, and shall post on the attorney general's website a statistical report of the number of full-time employees dedicated to insurance fraud, referrals, open investigations, convictions, arrests, and actions initiated, and the number of restitutions, fines, costs, and forfeitures obtained, from the investigation and prosecution of insurance fraud as provided in this section. In the report, the attorney general shall make his or her best effort to delineate between the types of cases prosecuted by line of insurance.~~

SECTION 16. In Colorado Revised Statutes, 24-32-119, **amend** (4) as follows:

24-32-119. Gray and black market marijuana enforcement grant program - report - definition. (4) (a) On or before November 1, 2019, and on or before November 1 each year thereafter, the division shall ~~include an update~~ PREPARE A REPORT regarding the effectiveness of the grant program ~~in its report to the members of the applicable committees of reference in the senate and house of representatives as required by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act", part 2 of article 7 of title 2~~ AND POST THE REPORT ON ITS WEBSITE.

(b) ~~Notwithstanding section 24-1-136(11)(a)(I), the reports required in subsection (4)(a) of this section continue indefinitely.~~

SECTION 17. In Colorado Revised Statutes, 24-32-123, **amend** (4) as follows:

24-32-123. Defense counsel on first appearance grant program - rules - report - definition - repeal. (4) (a) The division shall ~~include an update~~ ANNUALLY PREPARE A REPORT regarding the effectiveness of the grant program ~~in its annual report to the members of the applicable committees of reference in the senate and the house of representatives as required by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act", part 2 of article 7 of title 2~~ AND POST THE REPORT ON ITS WEBSITE.

(b) ~~Notwithstanding section 24-1-136(11)(a)(I), the report required in subsection (4)(a) of this section continues indefinitely.~~

SECTION 18. In Colorado Revised Statutes, 24-32-3501, **amend** (6)(b)(II) as follows:

24-32-3501. Peace officers behavioral health support and community partnerships grant program - created - report - rules - fund - definitions - repeal. (6) (b) (II) Beginning with the 2023 regular legislative session and each ~~regular legislative session~~ YEAR thereafter, the department shall ~~include a summarized report~~ PREPARE A REPORT of the activities of the grant program ~~in the department's annual presentation to the~~

~~committees of reference pursuant to section 2-7-203 Notwithstanding section 24-1-136 (11)(a)(I), the reporting requirements set forth in this section continue indefinitely AND POST THE REPORT ON ITS WEBSITE.~~

SECTION 19. In Colorado Revised Statutes, 24-33-111, **amend** (3)(a) as follows:

24-33-111. Conservation of native species - fund created.
(3) Species conservation eligibility list. (a) The executive director of the department of natural resources, after consultation with the Colorado water conservation board and its director, the parks and wildlife commission, and the director of the division of parks and wildlife, shall annually prepare a species conservation eligibility list describing programs and associated costs that are eligible to receive funding pursuant to this section. The species conservation eligibility list is subject to modification and adoption through passage of a bill. ~~Notwithstanding section 24-1-136 (11)(a)(I), at the same time as the species conservation eligibility list is submitted, the director of the department of natural resources, after consultation with the Colorado water conservation board and its director, the parks and wildlife commission, and the director of the division of parks and wildlife, shall also provide a detailed report to the general assembly on the progress and status of activities to date and their effectiveness in the recovery of the species and identify proposed future activities. The report shall include an assessment of habitat benefits, both public and private, attributable to such activities.~~

SECTION 20. In Colorado Revised Statutes, **amend** 24-46-206 as follows:

24-46-206. Office - report. The office of economic development shall assist the authority in administering this part 2. The authority shall submit a report to the state auditor on ~~February~~ MAY 1 of each year regarding the results of the implementation of this part 2.

SECTION 21. In Colorado Revised Statutes, 24-72.4-104, **amend** (1) as follows:

24-72.4-104. Information in web-based system - limit on duty.
(1) The chief information officer and the state controller may reasonably rely upon representations by a state agency ~~or county~~ in determining what information to include in the web-based system, and neither the chief

information officer nor the state controller shall have a duty to independently review the information for compliance with this article ARTICLE 72.4 prior to posting the information on the web-based system.

SECTION 22. In Colorado Revised Statutes, **repeal** 24-72.4-106 as follows:

24-72.4-106. County - revenue and expenditure data - inclusion.

~~(1)(a) No later than thirty days following the beginning of a fiscal year that begins on or after January 1, 2018, each county shall provide the chief information officer with a copy of the budget adopted for the fiscal year.~~

~~(b) No later than thirty days following the end-of-the year audit of a county's revenues and expenditures for a fiscal year that begins on or after January 1, 2017, the county shall provide the chief information officer with a database that identifies all:~~

~~(f) Revenue received by the county; and~~

~~(H) Expenditures made by each spending agency.~~

~~(c) A county shall submit the information required by this subsection (1) in a format approved by the chief information officer, which format allows the chief information officer to comply with the requirements of subsection (3) of this section.~~

~~(d) A county may provide the chief information officer with the budget for the fiscal year that begins on January 1, 2017, or the revenue and expenditure data specified in paragraph (b) of this subsection (1) for the fiscal year that begins on January 1, 2016. The chief information officer shall include the information in the web-based system, as otherwise set forth in subsection (3) of this section.~~

~~(2) A county shall not include any information under subsection (1) of this section that is:~~

~~(a) Not a public record or that is exempt from disclosure pursuant to the "Colorado Open Records Act", part 2 of article 72 of this title, or pursuant to part 3 of article 72 of this title; or~~

~~(b) Confidential pursuant to state or federal law.~~

~~(3) The chief information officer shall separately include the most recent budget and the most recent revenue and expenditure data for each county in the web-based system in a data format that is similar to that for the state revenue and expenditures. The chief information officer shall archive past available county information in the same location as state archived revenue and expenditure data is stored. The chief information officer may aggregate a county's data if:~~

~~(a) Access to each individual transaction is likely to hinder, rather than foster, the goal of accountability and transparency; or~~

~~(b) An individual transaction includes information that is only partially excludable under subsection (2) of this section.~~

~~(4) Subsection (1) of this section does not apply to a county that posts its budget and the revenue and expenditure data required by paragraph (b) of subsection (1) of this section on the county website. A county shall notify the chief information officer that it is exempt under this subsection (4), and the chief information officer shall include a link to the county's website on the web-based system.~~

~~(5) If a county fails to provide the required database to the chief information officer for more than ninety days after a deadline set in subsection (1) of this section and subsection (4) of this section does not apply, then the executive director of the department of local affairs may consider the county's lack of transparency as an adverse factor when making grants in accordance with section 39-29-110 (1)(b), C.R.S., in the next state fiscal year.~~

SECTION 23. In Colorado Revised Statutes, 24-72.4-103, **amend** (1)(j); and **repeal** (1)(k) as follows:

24-72.4-103. Web-based system - enhancements - procedure for challenging exclusions. (1) The department of personnel shall modify the web-based system to meet the following requirements:

(j) The web-based system shall include a link to the online database;

AND

(k) ~~The web-based system shall include county expenditure and revenue data in accordance with section 24-72.4-106, and~~

SECTION 24. In Colorado Revised Statutes, 25.5-5-419, **amend** (3) introductory portion as follows:

25.5-5-419. Accountable care collaborative - reporting - rules.

(3) ~~On or before December 1, 2017, and on or before December 1 each year thereafter, The state department shall prepare and submit a report~~ COLLECT INFORMATION CONCERNING THE ACCOUNTABLE CARE COLLABORATIVE AND INCLUDE THIS INFORMATION IN ITS ANNUAL REPORT SUBMITTED to the joint budget committee, the public health care and human services committee of the house of representatives, and the health and human services committee of the senate, or any successor committees ~~concerning the implementation of the accountable care collaborative~~ PURSUANT TO SECTION 25.5-5-415 (4)(a). Notwithstanding the provisions of section 24-1-136 (11)(a)(I), the report required pursuant to this subsection (3) continues indefinitely. At a minimum, the state department's report must include the following information concerning the accountable care collaborative:

SECTION 25. In Colorado Revised Statutes, 25.5-5-424, **amend** (1), (3), and (4) as follows:

25.5-5-424. Residential and inpatient substance use disorder treatment - MCE standardized utilization management process - medical necessity - report. (1) On or before October 1, 2021, the state department shall consult with the behavioral health administration in the department of human services, residential treatment providers, and MCEs to develop standardized utilization management processes to determine medical necessity for residential and inpatient substance use disorder treatment. The processes must incorporate the ~~most recent edition~~ VERSION of "The ASAM Criteria" ~~for Addictive, Substance-related, and Co-occurring Conditions~~ USED BY THE STATE DEPARTMENT and align with federal medicaid payment requirements.

(3) On or before January 1, 2022, each MCE's notice of an adverse benefit determination must demonstrate how each dimension of the ~~most recent edition~~ VERSION of "The ASAM Criteria" ~~for Addictive, Substance-related, and Co-occurring Conditions~~ USED BY THE STATE

DEPARTMENT was considered when determining medical necessity.

(4) (a) Beginning ~~October 1, 2021~~ JULY 1, 2024, and quarterly thereafter, the state department shall ~~collaborate with the behavioral health administration in the department of human services, residential treatment providers, and MCEs to develop~~ a report on the residential and inpatient substance use disorder utilization management statistics ON THE STATE DEPARTMENT'S WEBSITE. ~~At a minimum, the report must include:~~

(I) ~~The average length of an initial authorization and the average length of continued authorizations for each MCE and provider disaggregated by level of residential care;~~

(II) ~~Denials of initial authorizations reported for each MCE and provider and the reasons for the denials; and~~

(III) ~~The average response time for an initial authorization and continued authorization, disaggregated by each MCE; level of residential care, including the percentage of extensions granted to health-care providers to submit complete clinical documentation; retroactive authorization requests; incomplete authorization requests; and the number of requests that met and did not meet the state department's response time requirements.~~

(b) ~~The state department shall make the report developed pursuant to subsection (4)(a) of this section publicly available on the state department's website.~~

(c) ~~Any information required to be reported pursuant to subsection (4)(a) of this section may be aggregated as necessary to ensure~~ confidentially CONFIDENTIALITY pursuant to 42 CFR part 2.

SECTION 26. In Colorado Revised Statutes, 25.5-5-425, **amend** (2) as follows:

25.5-5-425. Audit of MCE denials for residential and inpatient substance use disorder treatment authorization - report. (2) Beginning ~~December 1, 2022~~ NO LATER THAN JANUARY 31, 2025, and NO LATER THAN each ~~December 1~~ JANUARY 31 thereafter, the state department shall submit the results of the audit conducted pursuant to subsection (1) of this section and any recommended changes to the residential and inpatient substance use

disorder benefit to the house of representatives health and insurance committee, the house of representatives public and behavioral health and human services committee, the senate health and human services committee, or their successor committees, and the joint budget committee.

SECTION 27. In Colorado Revised Statutes, 25.5-6-1501, **repeal** (8) as follows:

25.5-6-1501. Community transition services and supports - legislative declaration - rules. (8) ~~Notwithstanding the provisions of section 24-1-136 (11)(a)(I), on or before November 1, 2019, and each November 1 thereafter, the state department shall submit an annual report to the health and human services committee of the senate, the public health care and human services committee of the house of representatives, and the joint budget committee, or any successor committees, on the effectiveness of providing the services and supports required by this part 15. The report must include:~~

~~(a) An evaluation of the cost-effectiveness of the services; and~~

~~(b) For each year of the program, the number of persons who:~~

~~(I) Requested services;~~

~~(II) Received services;~~

~~(III) Transitioned from an institutional setting to a home- or community-based setting; and~~

~~(IV) Transitioned from an institutional setting but later returned to an institutional setting.~~

SECTION 28. In Colorado Revised Statutes, 26.5-3-208, **amend** (1) as follows:

26.5-3-208. Report - repeal of part. (1) The department shall contract for an independent evaluation of the trust fund, including administrative costs of operating the trust fund and the cost-effectiveness and the impact of the grants on reducing and preventing child abuse. The department shall provide a report of the evaluation to the house of

representatives and senate health and human services committees, or any successor committees, on or before ~~November 1, 2026~~ NOVEMBER 1, 2029.

SECTION 29. In Colorado Revised Statutes, 26.5-3-302, **amend** (3)(b); and **add** (3)(c) as follows:

26.5-3-302. Child care services and substance use disorder treatment pilot program - created - purposes - eligibility - evaluation - funding - rules. (3) (b) On or before ~~June 30, 2023~~ JUNE 30, 2028, the department shall provide to the ~~health and insurance and public health care and human services committees~~ COMMITTEE of the house of representatives and the health and human services committee of the senate, or any successor committees, any completed pilot program evaluations pursuant to subsection (3)(a) of this section, as well as a summary of the pilot program, including grants awarded and the outcome of the grants.

(c) ON OR BEFORE AUGUST 30, 2024, AND ON OR BEFORE AUGUST 30 OF EACH YEAR THEREAFTER FOR THE FOLLOWING THREE YEARS, THE DEPARTMENT SHALL REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR THEIR SUCCESSOR COMMITTEES, ON THE PILOT PROGRAM, INCLUDING THE GRANTS AWARDED, THE NUMBER OF CHILDREN, FAMILIES, AND CAREGIVERS SERVED, AND A RECOMMENDATION FOR THE FUTURE IMPLEMENTATION OF THE PROGRAM.

SECTION 30. In Colorado Revised Statutes, **repeal** 26.5-3-410 as follows:

26.5-3-410. Annual report - cooperation from certified early intervention service brokers and qualified providers. (1) ~~Notwithstanding section 24-1-136(11)(a)(I), by November 1, 2008, and by November 1 each year thereafter, the department shall submit an annual report to the general assembly regarding the various funding sources used for early intervention services, the number of eligible children served, the average cost of early intervention services, and any other information the department deems appropriate. The department shall submit the report to the joint budget committee as part of the department's annual budget request. The department shall also submit the report to the health and human services committees and the education committees of the senate and house of representatives, or any successor committees.~~

~~(2) The department shall request, and certified early intervention service brokers and qualified early intervention service providers shall provide, information regarding early intervention services that the department needs to prepare the annual report required by this section or other required federal or state reports.~~

SECTION 31. In Colorado Revised Statutes, 26.5-3-706, **amend** (3) as follows:

26.5-3-706. Data collection - reporting. (3) On or before August 1, 2026, the department shall contract with an independent third party to conduct an evaluation, using standard evaluation measures, of the program and its impact on early childhood and program outcomes across the state. The department shall present the results of the evaluation as part of its presentation to its committee of reference at the hearing held pursuant to section 2-7-203 (2)(a) of the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" in ~~January 2027~~ JANUARY 2028.

SECTION 32. In Colorado Revised Statutes, 26.5-5-102, **repeal** (8)(b) as follows:

26.5-5-102. School-readiness quality improvement program - created - rules. (8) (b) ~~(f) On or before December 1, 2019, and on or before December 1 every three years thereafter, the department, or any private entity with which the department is authorized to contract for this purpose, shall submit a consolidated statewide report, based upon the reports prepared and submitted by the early childhood councils, addressing the items set forth in subsection (8)(a) of this section to the early childhood and school readiness legislative commission and to the members of the education committees of the house of representatives and the senate, or any successor committees.~~

~~(H) Notwithstanding section 24-1-136 (11)(a)(f), the report required in subsection (8)(b)(f) of this section continues indefinitely.~~

SECTION 33. In Colorado Revised Statutes, 26.5-5-205, **repeal** (2) as follows:

26.5-5-205. Reporting requirements. (2) ~~Notwithstanding section~~

~~24-1-136 (11)(a)(I), on or before December 1, 2014, and each December 1 thereafter, the department shall provide a written report on the grant program to the public health care and human services committee of the house of representatives and the health and human services committee of the senate, or any successor committees. The report must include a summary of the data received pursuant to subsection (1) of this section, the total amount of grants and grant money awarded, and the total increase in the number of infants and toddlers under three years of age served by the grant program.~~

SECTION 34. In Colorado Revised Statutes, 33-1-105.5, **amend** (9) as follows:

33-1-105.5. Acquisition of property - procedure.

(9) Notwithstanding section 24-1-136 (11)(a)(I), the commission shall include in its annual report, which report shall be submitted to the capital development committee and to the agriculture, livestock, and natural resources committee of the house of representatives and the agriculture, natural resources, and energy committee of the senate, a listing of all acquisitions of real property or interests in water made pursuant to the provisions of this section. ~~Such~~ THE report ~~shall~~ MUST describe all property and interests in water acquired ~~since July 1, 1992~~ WITHIN THE PREVIOUS FIVE YEARS, the acquisition cost of each such property or interest in water, and the appraised value of each such property or interest in water, and ~~shall~~ MUST contain a description of all pending acquisitions of property and interests in water.

SECTION 35. In Colorado Revised Statutes, 33-1-112, **repeal** (7)(a)(III) as follows:

33-1-112. Funds - cost accounting - definition - repeal.

(7) (a) (III) ~~Notwithstanding section 24-1-136 (11)(a)(I), the commission shall submit an annual report of the money expended from the fund and matters accomplished by the expenditures from the preceding fiscal year to the senate agriculture, natural resources, and energy committee and the house of representatives agriculture, livestock, and natural resources committee, or their successor committees, by the convening date of each regular session of the general assembly in accordance with section 24-1-136 (9). The commission shall also submit to these committees a report on money proposed to be expended from the fund and the matters to be~~

accomplished by the expenditures in the upcoming fiscal year.

SECTION 36. In Colorado Revised Statutes, 33-9-101, **repeal** (11)(c) as follows:

33-9-101. Commission - creation - composition - terms - vacancies - removal - meetings - strategic plan - legislative declaration. (11) (c) ~~Notwithstanding section 24-1-136 (11), C.R.S., for every year included in the strategic plan, the commission shall submit a report annually to the house committee on agriculture, livestock, and natural resources and the senate committee on agriculture, natural resources, and energy, or any successor committees, regarding the progress and status of the strategic plan. In order to reduce costs associated with preparing and transmitting such reports, the commission is authorized to send the reports in an electronic format.~~

SECTION 37. In Colorado Revised Statutes, 33-9-106, **repeal** (2) as follows:

33-9-106. Reports. (2) ~~Beginning in 2013 and notwithstanding section 24-1-136 (11), C.R.S., the executive director shall report annually to the joint house agriculture, livestock, and natural resources committee and the senate agriculture, natural resources, and energy committee, or any successor committees, regarding the administration of the division, including an evaluation of division resources and their utilization and an identification of opportunities for efficiencies. Each such report must summarize stakeholder outreach conducted during the prior year and must also identify disposition of assets and cost savings, both planned and realized, since the previous year, including savings pertaining to personnel, equipment, services, and provisioning.~~

SECTION 38. In Colorado Revised Statutes, 33-10-109, **amend** (1)(g) as follows:

33-10-109. Powers and duties of director. (1) It is the duty of the director to:

(g) (I) Obtain from powersports vehicle manufacturers the engine rotations per minute needed to conduct the SAE J1287, as defined in section 25-12-102, ~~C.R.S.~~, and to make the information available to law

enforcement agencies in Colorado;

(II) Provide, at the director's discretion, training programs to local law enforcement agencies concerning the enforcement of section 25-12-110 (1) and (2); ~~C.R.S. AND~~

(III) Cooperate with federal agencies, Colorado agencies, and political subdivisions of Colorado to enforce section 25-12-110 (1) and (2). ~~C.R.S.; and~~

(IV) ~~Issue an annual report, by January 15 of each year, to the executive director and the agriculture, livestock, and natural resources committee of the house of representatives and the agriculture, natural resources, and energy committee of the senate, or any successor committees, containing the following information:~~

~~(A) The results of a survey of federal, state, and local governments to ascertain the success of the cooperation, education, training, and enforcement components of this paragraph (g) and section 25-12-110; C.R.S.;~~

~~(B) The expenditures of moneys appropriated for providing training and purchasing of equipment to enforce section 25-12-110 (1) and (2); C.R.S., and any other sources of funding, public or private, for the implementation of this act deemed important by the director; and~~

~~(C) The progress and status of the cooperation efforts required by subparagraph (H) of this paragraph (g);~~

SECTION 39. In Colorado Revised Statutes, 33-10-111, **repeal** (6)(c) as follows:

33-10-111. Parks and outdoor recreation cash fund - parks for future generations trust fund - creation - fees - accounting expenditures for roads and highways - definition - repeal. (6) (c) ~~Notwithstanding section 24-1-136 (11)(a)(I), the commission shall submit an annual report of the money expended from the fund and matters accomplished by the expenditures from the preceding fiscal year to the senate agriculture, natural resources, and energy committee and the house of representatives agriculture, livestock, and natural resources committee, or their successor~~

~~committees, by the convening date of each regular session of the general assembly in accordance with section 24-1-136 (9). The commission shall also submit to these committees a report on money proposed to be expended from the fund and the matters to be accomplished by the expenditures in the upcoming fiscal year.~~

SECTION 40. In Colorado Revised Statutes, 44-10-501, **repeal** (11)(m)(II) as follows:

44-10-501. Medical marijuana store license. (11) (m) (II) ~~No later than January 2, 2021, the state licensing authority shall submit a report to the finance committees of the house of representatives and the senate, or any successor committees, regarding the number of medical marijuana delivery applications submitted, the number of medical marijuana delivery permits issued, any findings by the state licensing authority of criminal activity materially related to medical marijuana delivery, and any incident reports that include felony charges materially related to medical marijuana delivery, which were filed and reported to the state licensing authority by the law enforcement agency, district attorney, or other agency responsible for filing the felony charges. The state licensing authority may consult with the division of criminal justice in the department of public safety in the collection and analysis of additional crime data materially related to medical marijuana delivery.~~

SECTION 41. In Colorado Revised Statutes, 44-40-112, **repeal** (2) as follows:

44-40-112. Audits and annual reports. (2) ~~The director shall evaluate the lottery's expenditures to determine areas where the expenditures may be reduced with the goal of increasing net proceeds as a percentage of sales paid to the beneficiaries. Not later than July 1, 2005, the director shall report to the governor, the legislative audit committee, and the joint budget committee on any recommendations he or she desires to make based upon the evaluation.~~

SECTION 42. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate

preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO