

CHAPTER 324

HEALTH AND ENVIRONMENT

SENATE BILL 25-192

BY SENATOR(S) Daugherty and Jodeh, Michaelson Jenet, Cutter, Kipp;
also REPRESENTATIVE(S) Espenozza and Feret, Bacon, Brown, Lindstedt, Ricks, McCluskie.

AN ACT

CONCERNING THE CONTINUATION OF FUNCTIONS RELATED TO THE REGULATION OF COMMUNITY INTEGRATED HEALTH-CARE SERVICE AGENCIES, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS IN THE 2024 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. In Colorado Revised Statutes, 24-34-104, **repeal** (26)(a)(VII); and **add** (35)(a)(VII) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (26) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2025:

(VII) ~~The functions of the department of public health and environment regarding community integrated health-care service agencies pursuant to part 13 of article 3.5 of title 25, C.R.S.;~~

(35) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2034:

(VII) THE FUNCTIONS OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT REGARDING COMMUNITY INTEGRATED HEALTH-CARE SERVICE AGENCIES PURSUANT TO PART 13 OF ARTICLE 3.5 OF TITLE 25.

SECTION 2. In Colorado Revised Statutes, **amend** 25-3.5-1307 as follows:

25-3.5-1307. Repeal of part - review of functions. This part 13 is repealed,

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.

effective ~~September 1, 2025~~ SEPTEMBER 1, 2034. Before the repeal, the department's functions under this part 13 shall be reviewed as provided for in ~~C.R.S.~~ IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH section 24-34-104. ~~C.R.S.~~

SECTION 3. In Colorado Revised Statutes, 25-3.5-1301, **amend** (1); and **add** (1.5) as follows:

25-3.5-1301. Definitions - rules. As used in this part 13, unless the context otherwise requires:

(1) (a) ~~"Community integrated health-care service agency" or "agency" means a sole proprietorship, partnership, corporation, nonprofit entity, special district, governmental unit or agency, or licensed or certified health-care facility that is subject to regulation under article 1.5 or 3 of this title that manages and offers, directly or by contract, community integrated health-care services~~ EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, "COMMUNITY INTEGRATED HEALTH-CARE SERVICE" HAS THE MEANING SET FORTH IN SECTION 25-3.5-103 (4.3).

(b) "COMMUNITY INTEGRATED HEALTH-CARE SERVICE" INCLUDES:

(I) MOBILE INTEGRATED HEALTH CARE; AND

(II) THE PROVISION OF CERTAIN CARE AND SERVICES, AS DETERMINED BY RULE BY THE BOARD, BY PRACTITIONERS OTHER THAN COMMUNITY PARAMEDICS.

(1.5) "COMMUNITY INTEGRATED HEALTH-CARE SERVICE AGENCY" OR "AGENCY" MEANS A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION, NONPROFIT ENTITY, SPECIAL DISTRICT, GOVERNMENTAL UNIT OR AGENCY, OR LICENSED OR CERTIFIED HEALTH-CARE FACILITY THAT IS SUBJECT TO REGULATION UNDER ARTICLE 1.5 OR 3 OF THIS TITLE 25 THAT MANAGES AND OFFERS, DIRECTLY OR BY CONTRACT, COMMUNITY INTEGRATED HEALTH-CARE SERVICES.

SECTION 4. In Colorado Revised Statutes, 25-3.5-1303, **amend** (1) introductory portion as follows:

25-3.5-1303. Minimum standards for community integrated health-care service agencies - adult protective services data system check - rules. (1) In addition to the services that the board, by rule, authorizes a community integrated health-care service agency to perform, an agency may perform any of the services that may be provided through a CARES program pursuant to section 25-3.5-1203 (3) and the tasks and procedures that a community paramedic is authorized to perform within ~~his or her~~ THE COMMUNITY PARAMEDIC'S scope of practice in accordance with section 25-3.5-206 and rules ~~promulgated~~ ADOPTED pursuant to that section. ~~On or before January 1, 2018, The board shall promulgate~~ ADOPT rules providing minimum standards for the operation of an agency within the state. The rules must include the following:

SECTION 5. In Colorado Revised Statutes, 25-3.5-1305, **amend** (2)(a), (3)(a)(I), (3)(b), and (3)(c) as follows:

25-3.5-1305. License - application - inspection - record check - issuance.

(2) (a) The department shall inspect an agency as it deems necessary to ensure the health, safety, and welfare of agency ~~consumers~~ PATIENTS OR CLIENTS. An agency shall submit in writing, in a form and manner prescribed by the department, a plan detailing the measures that the agency will take to correct ~~any~~ violations found by the department as a result of an inspection.

(3) (a) (I) With the submission of an application for a license pursuant to this section, each owner, manager, and administrator of an agency applying for an initial or renewal license shall submit a complete set of ~~his or her~~ THE OWNER'S, MANAGER'S, OR ADMINISTRATOR'S fingerprints to the Colorado bureau of investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado bureau of investigation and the federal bureau of investigation. The Colorado bureau of investigation shall forward the results of a criminal history record check to the department.

(b) (I) The department may deny a license or renewal of a license if the results of a record check of an owner, manager, or administrator demonstrates that the owner, manager, or administrator has been convicted of a felony or a misdemeanor involving conduct that the department determines could pose a risk to the health, safety, or welfare of community integrated health-care service ~~consumers~~ PATIENTS OR CLIENTS.

(II) AS USED IN THIS SUBSECTION (3)(b), "CONVICTED" INCLUDES AN ENTRY OF A PLEA OF GUILTY OR NOLO CONTENDERE.

(c) If an agency applying for an initial license is temporarily unable to satisfy all of the requirements for licensure, the department may issue a provisional license to the agency; except that the department shall not issue a provisional license to an agency if operation of the agency will adversely affect the health, safety, or welfare of the agency's ~~consumers~~ PATIENTS OR CLIENTS. The department may require an agency applying for a provisional license to demonstrate to the department's satisfaction that the agency is taking sufficient steps to satisfy all of the requirements for full licensure. A provisional license is valid for ninety days and may be renewed one time at the department's discretion.

SECTION 6. In Colorado Revised Statutes, 25-3.5-1306, **amend** (3) as follows:

25-3.5-1306. License denial - suspension - revocation. (3)(a) After conducting a hearing on the matter in accordance with article 4 of title 24, ~~C.R.S.~~, the department may revoke or refuse to renew an agency license ~~where~~ IF the owner, manager, or administrator of the agency has been convicted of a felony or misdemeanor involving conduct that the department determines could pose a risk to the health, safety, or welfare of the agency's ~~consumers~~ PATIENTS OR CLIENTS.

(b) AS USED IN THIS SUBSECTION (3), "CONVICTED" INCLUDES AN ENTRY OF A PLEA OF GUILTY OR NOLO CONTENDERE.

SECTION 7. In Colorado Revised Statutes, 25-3.5-108, **amend** (1)(b)(II)(D) as follows:

25-3.5-108. EMS system sustainability task force - created - powers and duties - membership - reports - repeal. (1) (b) The task force consists of the following twenty voting members:

(II) The following eight members appointed by the director of the department:

(D) One individual representing a community integrated health-care service agency, as defined in ~~section 25-3.5-1301 (1)~~ SECTION 25-3.5-1301 (1.5), that is licensed pursuant to part 13 of this article 3.5;

SECTION 8. In Colorado Revised Statutes, 26-3.1-111, **amend** (7)(c) as follows:

26-3.1-111. Access to CAPS - employment checks - conservatorship and guardianship checks - confidentiality - fees - rules - legislative declaration - definitions. (7) The following employers shall request a CAPS check pursuant to this section:

(c) A community integrated health-care service agency, as defined in ~~section 25-3.5-1301 (1)~~ SECTION 25-3.5-1301 (1.5);

SECTION 9. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 31, 2025