

**Status of Dental-Related Bills
2018 State Legislative Session**

Key

- Bill that Passed
- Bill that Failed
- Bill Not Introduced

Bill Title	CDA Position
<p>HB 1045: SDF by Dental Hygienists – Priority (Singer; Tate) Would allow dental hygienists to administer silver diamine fluoride (SDF) treatments to dental patients with appropriate training and coordination with a dentist. Status: Passed House amended. Passed Senate. Signed by the Governor.</p>	Support
<p>HB 1279: Opioid e-prescribing – Priority (Esgar; Priola, Moreno) Would require e-prescribing for all opioids beginning in January 2020. Dentists are included in the bill. Providers in rural areas or in solo practice would have an additional year (January 2021) to comply. Status: Scheduled 3/29 in House HIE committee.</p>	Amend
<p>SB 022: Clinical Practice for Opioid Prescribing – Priority (Aguilar, Tate; Kennedy, Pettersen) Would restrict the number of opioid pills that could be prescribed without a PDMP check to a 14-day supply. Certain exceptions to these limitations are provided. Status: Passed Senate amended. Assigned to House HIE committee.</p>	Amend
<p>HB 1003: Opioid Misuse Prevention (Pettersen, Priola; Jahn) Would continue a legislative task force to study opioid and other substance use disorders through 2020, as well as work to expand prescriber CE on pain management and opioid reduction. Status: Passed House PHHS committee amended. Assigned to House Appropriations committee.</p>	Monitor
<p>HB 1012: Vision Care Plans and Carriers (Becker, Lontine; Aguilar, Lundberg) Would prohibit vision plans from setting fees for non-covered services, as well as addressing other undesirable contracting behavior such as forced participation in all carrier plans and unilateral contract amendments. There is no direct impact on dentistry, but the bill could set some interesting precedents for contracts. Status: Passed House amended. Passed Senate amended. Concurrence. Awaiting Governor's signature.</p>	Monitor
<p>HB 1022: Sales Tax Request for Information (Sias, Kraft-Tharp; Neville, Jahn) Would direct the Colorado Department of Revenue to issue a request for information to determine whether there are available electronic sales and use tax software systems that could help simplify the registration and collection of local sales and use tax, in follow up to the interim sales and use task simplification task force efforts. Status: Passed House. Passed Senate. Signed by the Governor.</p>	Monitor
<p>HB 1052: Higher Education 2-year School Service Area Limitations (Lundeen; Todd) Would allow a 2-year institution to provide concurrent (high school) enrollment courses in an area outside of its designated service area if another provider chooses not to offer that program in its designated area. We are analyzing to determine whether the bill could have any impact on courses affiliated with dental hygiene programs. Status: Passed House Education amended. Passed Senate. Signed by the Governor.</p>	Monitor
<p>HB 1059: Failure to Call 911 (Wilson; none) Would create criminal penalties if a person knows or reasonably should know that they should call 911 and fails to do so. We are analyzing whether the bill would have any impact on medical providers. Status: Postponed indefinitely by House Judiciary committee.</p>	Monitor
<p>HB 1074: Deadly Physical Force in Place of Business (Everett; Marble) Would allow use of deadly force against an intruder at a place of business under certain conditions. Status: Postponed indefinitely by House State Affairs committee.</p>	Monitor
<p>HB 1097: Patient Choice of Pharmacy (Catlin, Danielson; Todd, Coram) Would ensure insurance contracts are structured such that a patient with prescription drug benefits can choose the pharmacy where they fill their prescription order without the imposition of extra copayments or restrictive conditions. Status: Passed House. Postponed indefinitely by Senate Business committee.</p>	Monitor
<p>HB 1106: Minimum Wage Requirement Waiver (D. Williams; none) Would allow employers to negotiate a wage agreeable to the employer and the applicant or employee, in contrast to current law that establishes and requires an annual adjustment of the minimum wage for certain employees.</p>	Monitor

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<p>Status: Postponed indefinitely by House State Affairs committee.</p> <p><i>HB 1113: Small Business Regulatory Reform (Neville; Marble, Neville)</i> Would have required state agencies that regulate small businesses (100 or fewer employees) to conduct education using fact sheets to aid compliance for new regulations. First-time minor violations of a new rule would be addressed by written warnings and educational outreach.</p> <p>Status: Postponed indefinitely by House State Affairs committee.</p>	Monitor
<p><i>HB 1116: Federal Funding for Broadband Development (JBC Bill: Rankin; Moreno)</i> Would authorize the state to apply for federal funding of broadband development. We are analyzing the bill to determine whether it would have any potential benefits for rural dental practices.</p> <p>Status: Passed House. Passed Senate. Signed by the Governor.</p>	Monitor
<p><i>HB 1118: Healthcare Legislative Review Committee (Ginal, Beckman; Crowder, Aguilar)</i> Would create an interim healthcare legislative review committee to study healthcare issues that affect Colorado residents. The committee would be authorized to study issues such as healthcare workforce, rural concerns, reimbursement rates, innovative delivery models, the availability of affordable coverage for patients and more. The committee is made up of members of existing House and Senate healthcare committees, could meet up to 6 times per year and could author up to 5 bills each legislative session.</p> <p>Status: Passed House amended. Assigned to Senate State Affairs committee.</p>	Monitor
<p><i>HB 1128: Consumer Data Privacy Protections (Wist, Bridges; Court, Lambert)</i> Would require public and private entities in Colorado that maintain paper or electronic records that contain personal identifying information to develop a policy for the maintenance and destruction of these records and to have notification procedures for unauthorized disclosures. The attorney general is given authority to investigate and bring criminal prosecution for violations. The bill does not appear to contain an exemption for HIPAA compliant entities, potentially creating duplicative and even conflicting requirements.</p> <p>Status: Passed House State Affairs committee amended. Assigned to House Appropriations committee.</p>	Amend
<p><i>HB 1136: Substance Use Treatment (Pettersen; Priola, Jahn)</i> Would expand residential and inpatient substance use disorder treatment services available under Medicaid (increase available beds). Several committee amendments proposed funding these efforts through cuts to other Medicaid programs, which would almost certainly impact dental.</p> <p>Status: Passed House Public Health committee amended. Assigned to House Appropriations committee.</p>	Monitor
<p><i>HB 1161: Supplemental Appropriation HCPF (Hamner; Lambert)</i> Would add and adjust 2017-2018 (current year) funding for the state Medicaid program. Includes a proposed new allocation of approximately \$65,000 to increase preventive dental hygiene services for patients with intellectual and developmental disabilities.</p> <p>Status: Passed House amended. Passed Senate. Signed by the Governor.</p>	Monitor
<p><i>HB 1179: Prohibit Price Gouging on Prescription Drugs (Salazar; none)</i> Would prohibit drug manufacturers and wholesalers from price gouging, which is defined as an increase of more than 50% in the drug's wholesale cost within the prior year period for a generic drug whose unit or 30-day supply cost exceeds \$80. This prohibition extends to drugs classified as essential by the World Health Organization or the U.S. HHS and off-patent or generic drugs offered by 3 or fewer manufacturers. Price gouging is classified as deceptive trade and subject to associated penalties. (Identical to SB 152.)</p> <p>Status: Passed House HIE committee amended. Passed House Finance committee. Assigned to House Appropriations committee.</p>	Monitor
<p><i>HB 1180: Access to Dismissed Mental Health Complaint Records (Melton; none)</i> Would allow a mental health professional who has responded to a complaint that was ultimately dismissed to access information contained in the regulatory board's complaint file. The bill is specific that the names of complainants cannot be redacted. If this bill passes, it could set an interesting precedent for other professions.</p> <p>Status: Passed House amended. Postponed indefinitely by Senate Health committee.</p>	Monitor
<p><i>HB 1185: State Business Income Tax Apportionment (Kraft-Tharp, Wist; Moreno, Neville)</i> Would change the way that business income is classified (from taxation at the point of creation to point</p>	Monitor

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<p>of delivery) to try to create greater alignment with other states. We are evaluating what impact this bill might have for dentists.</p> <p>Status: Passed House Business committee. Passed House Finance committee. Assigned to House Appropriations committee.</p>	
<p><i>HB 1187: Prescription Drugs Containing Cannabidiol (Buckner, Landgraf; Cooke, Moreno)</i> Would clarify that if the U.S. FDA approves a prescription drug containing cannabidiol (marijuana), prescribing, dispensing, transporting, possessing and using that drug would be legal (preemptive bill). The prescriptive authority in the bill would potentially extend to dentists (so long as the FDA approval is within scope).</p> <p>Status: Passed House PHHS committee amended. Awaiting House 2nd reading.</p>	Monitor
<p><i>HB 1198: Best Practices for State Boards & Commissions (Saine, Kraft-Tharp; Smallwood, Donovan)</i> Would require each state board to implement written policies and obtain annual training on operating within its legal scope, defining its mission, setting clear goals, managing conflicts of interest, complying with open records laws, establishing appropriate staff parameters, procuring data to inform decisions, designing effective communications and policy processes and reviewing management practices regularly for compliance with best practices.</p> <p>Status: Passed House amended. Passed Senate State Affairs committee amended. Passed Senate Appropriations committee. Awaiting Senate 2nd reading (consent).</p>	Monitor
<p><i>HB 1203: Reduce State Income Tax (Neville; Neville)</i> Would reduce both individual and corporate state income tax rates by 0.63% beginning in 2018.</p> <p>Status: Postponed indefinitely by House State Affairs committee.</p>	Monitor
<p><i>HB 1207: Hospital Financial Transparency Measures (Kennedy, Rankin; Smallwood, Moreno)</i> Would require HCPF to report annually on uncompensated hospital costs.</p> <p>Status: Passed House.</p>	Monitor
<p><i>HB 1211: Medicaid Fraud Control Unit (Wist, Foote; Aguilar, Smallwood)</i> Would establish in law (as opposed to Governor's order) a Medicaid Fraud Unit under the Attorney General and establish protocols for prosecution of offenses. Would require Medicaid to include information about reporting Medicaid fraud in any explanation of benefits sent to patients.</p> <p>Status: Passed House amended. Assigned to Senate Health committee.</p>	Amend
<p><i>HB 1224: State Agency Discipline Mediation (Willett; none)</i> Would require state agencies that pursue disciplinary action against a licensee that practices an occupation to use mediation to reduce state and licensee costs. If mediation fails, the state agency is authorized to continue seeking disciplinary action through traditional legal channels.</p> <p>Status: Scheduled 4/11 in House State Affairs committee.</p>	Monitor
<p><i>HB 1226: Higher Education Degree Program Cost and Outcomes Review (Everett; Smallwood)</i> Would require the Colorado commission on higher education to review and report on program costs, student outcomes and return on investment for undergraduate degree programs at CU and CSU. Monitor for any amendments affecting graduate degree programs or any precedent set.</p> <p>Status: Scheduled 4/16 in House Education committee.</p>	Monitor
<p><i>HB 1250: Improve Regulatory Compliance (Kraft-Tharp, Sias; Priola)</i> Would require each state agency to review disciplinary actions to identify rules with the greatest frequency of noncompliance in order to inform better education and outreach efforts to prevent future occurrences or potentially rewrite the rule for better clarity. An analysis and report on these findings of noncompliance must be provided to the legislature during its annual SMART act hearing.</p> <p>Status: Passed House amended. Assigned to Senate Business committee.</p>	Monitor
<p><i>HB 1253: Rule Review (Lee, Herod; Gardner)</i> Would validate (or invalidate) rules adopted by state agencies in the last year. While intended to be non-substantive, the rule review bill sometimes becomes political and substantive policy changes are made. Currently there are no proposed rule revisions for HCPF and no relevant rule revisions under CDPHE or DORA (dental board or DOI).</p> <p>Status: Passed House amended. Passed Senate Judiciary committee. Assigned to Senate Legal Services.</p>	Monitor
<p><i>HB 1260: Prescription Drug Price Transparency (Ginal, Jackson; Moreno)</i> Would require prescription drug companies to provide notification when increasing the price of</p>	Monitor

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<p>prescription drugs more than 10% (exceeding \$40 increase in wholesale acquisition cost) and creates penalties for lack of compliance. In addition, health insurers are required to report the 25 most frequently prescribed drugs, the 25 most costly drugs by annual plan spending, and the 25 drugs with the highest increase in plan spending.</p> <p>Status: Passed House HIE committee amended. Passed House Appropriations committee. Awaiting House 2nd reading.</p>	
<p><i>HB 1263: Expand Medical Marijuana Indications (Hooten, Melton; Coram, Fenberg)</i></p> <p>Would add autism and acute pain to the list of disabling medical indications that permit a person to use medical marijuana, potentially opening the door to use of marijuana for treatment of dental pain. This bill does not change permitted ‘recommenders’ of medical marijuana, however. Physicians are the only permitted ‘recommenders’ of medical marijuana at this time.</p> <p>Status: Scheduled 4/5 in House HIE committee.</p>	Monitor
<p><i>HB 1282: Unique NPI for Each Healthcare Delivery Site (Lontine, Sias; Smallwood, Kefalas)</i></p> <p>Would require all hospitals and Medicaid providers to attain a unique NPI number for each site at which they deliver services. Billing must be performed using both NPI for the site at which the services were provided.</p> <p>Status: Passed House. Assigned to Senate Health committee.</p>	Monitor
<p><i>HB 1284: Pharmacy Disclosure of Drug Prices (Buckner, Wilson; Martinez Humenik; Kefalas)</i></p> <p>Would permit pharmacies to provide information to patients on an insured patient’s cost share under their plan and prevent plans for prohibiting sharing of this information. In addition, the bill would allow pharmacies to charge less than the patient’s co-pay when the cost of the drug is less than the co-pay.</p> <p>Status: Scheduled 3/29 in House HIE committee.</p>	Monitor
<p><i>HB 1321: Medicaid Non Emergency Transport (McKean, Arndt; Moreno, Martinez Humenik)</i></p> <p>Would require Medicaid to implement a more effective and cost efficient means for meeting non emergency, but urgent transportation needs for Medicaid beneficiaries. Urgent needs will be defined by the Medicaid program, and could include urgent dental needs.</p> <p>Status: Assigned to House HIE committee.</p>	Monitor
<p><i>HB 1322: 2018-2019 Long Appropriations Bill – Budget Bill (Hamner; Lambert)</i></p> <p>Would determine funding for all state departments and programs for the 2018-2019 fiscal year, including dental-related programs like Medicaid, the state oral health unit and the state dental board. At introduction, a small 1% increase was proposed for all Medicaid providers with no other changes to the dental benefit.</p> <p>Status: Scheduled 3/27 in House Appropriations committee.</p>	Monitor
<p><i>HB 1327: APCD Funding (Young; Moreno)</i></p> <p>Would provide additional state funding of \$1.5M (which will draw a \$1M federal match) to support Colorado’s All Payer Health Claims Database, including allocation of \$500,000 in annual scholarship funds for nonprofits and government entities that wish to do health policy research.</p> <p>Status: Scheduled 3/27 in House Appropriations committee.</p>	Monitor
<p><i>HB 1331: Use of Open Educational Resources in Higher Education (Young, Rankin; Lundberg)</i></p> <p>Would create a statewide council to promote use of open educational resources (courses, modules, textbooks, videos, tests, software and other materials that are in the public domain and available to students for free or very low cost) by Colorado’s public institutions of higher education. Grants are provided to public educational institutions to facilitate adoption of more open educational resources in curriculum. The bill requires disclosure by fall 2021 of which courses use open educational resources to allow interesting students to select these courses during class registration. This bill aims to address the substantial cost of textbooks and instructional materials. Though much of the focus is at the community college level, the bill may also have downstream implications for addressing costs related to dental and dental hygiene education. A student is included in the task force.</p> <p>Status: Scheduled 3/27 in House Appropriations committee.</p>	Monitor
<p><i>SB 002: Financing Rural Broadband Deployment (Sonnenberg, Coram; Duran, Becker)</i></p> <p>Would increase funding for rural broadband development, potentially increasing access for rural dental practices to EMR systems as well as telehealth supervision options.</p> <p>Status: Passed Senate amended. Passed House amended. Concurrence. Awaiting Governor’s signature.</p>	Monitor

Bill Title	CDA Position
<p><i>SB 013: Child Nutrition School Lunch Protection (Gardner, Fields; Michaelson-Jenet)</i> Would extend eligibility for the reduced-price school lunch program to 8th grade (currently 5th grade). Status: Passed Senate Education committee. Assigned to Senate Appropriations committee.</p>	Passive Support
<p><i>SB 023: Promotion of Off-label Use (Martinez-Humenik; Ginal)</i> Would allow a pharmaceutical manufacturer to promote off-label use of a FDA approved prescription drug or device. Status: Postponed indefinitely by Senate Health committee.</p>	Monitor
<p><i>SB 024: Expand Access to Behavioral Health Care Providers (Tate, Jahn; Singer)</i> Would make behavioral health providers eligible for the Colorado health service corps that provides loan repayment to dentists and other healthcare providers given the need for more behavioral health providers to help address the opioid crisis. The bill would also provide scholarships for additional training for behavioral health providers. \$2.5M of funding is appropriated from the marijuana cash fund to support the program. We will monitor this bill for any unintended impacts on funding and support for dental programs. Status: Passed Senate Health committee amended. Assigned to Senate Appropriations committee.</p>	Monitor
<p><i>SB 036: Title 12 Recodification: Nonsubstantive Move of Tobacco Sales to Minors (Kagan; Wist)</i> Would move laws concerning tobacco sales to minors to a new section of statute as part of the nonsubstantive reorganization of Title 12, which relates to professions and occupations. Status: Passed Senate amended. Passed House amended. Senate concurrence. Signed by the Governor.</p>	Monitor
<p><i>SB 044: Veterans Preference in Hiring (Crowder; Landgraf)</i> Would allow private employers to give preference to hiring a veteran without running afoul of anti-discrimination laws. Status: Passed Senate. Passed House State Affairs committee amended. Awaiting House 2nd reading.</p>	Monitor
<p><i>SB 061: Reduce State Income Tax Rates (Grantham, Sonnenberg; none)</i> Would reduce both individual and corporate state income tax rates. Status: Passed Senate Finance committee. Assigned to Senate Appropriations committee.</p>	Monitor
<p><i>SB 080: Prescription Drug Imports from Canada (Aguilar; Lontine)</i> Would allow HCPF (Medicaid) to design a program to import prescription drugs from Canada for sale to Colorado consumers. Status: Postponed indefinitely by Senate State Affairs committee.</p>	Monitor
<p><i>SB 081: EMT Licensing (Garcia; none)</i> Would create a licensure process for emergency medical service providers through DORA. Status: Postponed indefinitely by Senate Business committee.</p>	Monitor
<p><i>SB 082: Physician Non Compete Agreements (Zenzinger; Kennedy)</i> Would create an exception to any physician's non-compete agreement signed when leaving a practice to allow that physician to continue to care for patients with rare conditions or disorders. This bill only applies to physicians as written, but could create an interesting precedent for non-compete agreements. Status: Passed Senate. Passed House amended. Concurrence. Awaiting Governor's signature.</p>	Monitor
<p><i>SB 104: Federal Funds for Rural Broadband Deployment (Donovan; Willett)</i> Would require the state's broadband deployment board to petition the FCC for a waiver to allow the state to apply for federal money earmarked for broadband deployment in remote areas of the nation. Status: Passed Senate amended. Passed House. Awaiting Governor's signature.</p>	Monitor
<p><i>SB 115: Stark Law Application to All Referrals (Aguilar; Pettersen)</i> Would extend the federal Stark Law prohibitions on self-referrals or family for medical services from its current limitation to Medicare and Medicaid patients to include all patient referrals. Patients who are harmed by a failure to comply could collect significant damages. The state Attorney General could pursue civil penalties, reimbursement of fees collected and charges of insurance fraud. Status: Postponed indefinitely by Senate State Affairs committee.</p>	Amend / Oppose
<p><i>SB 116: Capitol Identification Card (Cooke; Van Winkle; Williams)</i> Would allow capitol identification cards to be issued to certain members of the public (press, lobbyists) who pass a background check in order to allow a bypass of regular security screenings. Status: Passed Senate amended. Scheduled 4/4 in House State Affairs committee.</p>	Monitor
<p><i>SB 126: Cigars Tax Definition (Guzman, Grantham; Van Winkle, Pabon)</i></p>	Monitor

Bill Title	CDA Position
<p>Would define a traditional large and premium cigar for purposes of eliminating a double taxation situation on these products. Per the fiscal note, the bill would have no fiscal impact. Status: Passed Senate. Passed House Business committee. Awaiting House 2nd reading.</p>	
<p><i>SB 128: Legislative Approval for State Agency Fee Increase (Gardner; Liston)</i> Would require all state agency fee increases to obtain prior approval from the legislature's Joint Budget Committee starting Sept. 1, 2018. Exceptions are made for certain emergency fee increases. Status: Passed Senate. Postponed indefinitely by House State Affairs committee.</p>	Monitor
<p><i>SB 129: Reorganization of Drug & Medical Device Sales Tax Exemption (Moreno; Arndt)</i> Would provide a nonsubstantive clean up current law relating to drug and medical device state sales tax exemptions. Status: Passed Senate amended. Passed House Finance committee. Awaiting House 2nd reading.</p>	Monitor
<p><i>SB 130: Repeal Carrier Reporting Requirements to DOI (Smallwood; McKean)</i> Would repeal a current requirement that the insurance carriers report a list of average reimbursement rates for daily inpatient visits or the most common 25 inpatient procedures billed. This repeal seems to contradict the recent trends toward transparency. Status: Passed Senate. Assigned to House HIE committee.</p>	Monitor
<p><i>SB 139: Statewide Regulation of Products with Nicotine (Cooke; Singer)</i> Would require a state license (as opposed to local) for retailers who sell tobacco products beginning in 2019. Tobacco education funding would be used to fund the licensure of retailers at a cost of \$700,000 per year. Incentivizes local entities to eliminate local licensure by withholding grants for tobacco education, prevention and cessation if any money is used to impose local licensure or advocate for taxes on cigarettes or tobacco products. Status: Postponed indefinitely by Senate Business committee.</p>	Oppose
<p><i>SB 152: Prohibit Price Gouging on Prescription Drugs (Aguilar; Lontine)</i> Would prohibit drug manufacturers and wholesalers from price gouging, which is defined as an increase of more than 50% in the drug's wholesale cost within the prior year period for a generic drugs whose unit or 30-day supply cost exceeds \$80. This prohibition extends to drugs classified as essential by the world health organization or the U.S. HHS and off-patent or generic drugs offered by 3 or fewer manufacturers. Price gouging is classified as deceptive trade and subject to associated penalties. (Identical to HB 1179) Status: Postponed indefinitely by Senate State Affairs committee.</p>	Monitor
<p><i>SB 179: Tax Credit for Out-of-State Tobacco Sales (Hill, Williams; Hooten, Pabon)</i> Would make permanent an exemption (that currently expires in Sept. 2018) from state sales tax for tobacco products that are sold to an out-of-state purchaser. Status: Passed Senate amended. Passed House Finance committee. Awaiting House 2nd reading.</p>	Monitor
<p><i>SB 185: Deadly Physical Force in Place of Business (Smallwood; None)</i> Would allow use of deadly force against an intruder at a place of business under certain conditions. Status: Passed Senate Judiciary committee. Awaiting Senate 2nd reading.</p>	Monitor
<p><i>SB 193: Review of Limitations on State Agency Occupational Regulations (Coram; None)</i> Would prohibit state agencies from imposing personal qualification requirements in order to engage in a profession or occupation unless the agency can show that the requirement is demonstrably necessary and narrowly tailored to address a specific, legitimate public health, safety or welfare objective. Status: Scheduled 3/28 in Senate Judiciary committee (action only).</p>	Monitor
<p><i>SB 214: Medicaid Self-Sufficiency Requirements (Crowder; Beckman)</i> Would require Medicaid to submit a federal waiver to implement employment (or vocational training) conditions for able-bodied individuals in order to qualify for Medicaid benefits and would limit eligibility for Medicaid for these individuals to 5 years. The bill would also allow collection of co-payments for certain services like ER usage and transportation services. Status: Scheduled 3/29 in Senate Health committee.</p>	Monitor

Updated: March 27, 2018 through HB 1344, SB 222 (599)

Full Bill information at: <http://statebillinfo.com/SBI/index.cfm?fuseaction=Public.Dossier&id=24460&pk=10>