

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 11-0101.01 Brita Darling

SENATE BILL 11-177

SENATE SPONSORSHIP

Nicholson, Aguilar, Boyd, Carroll, Foster, Newell

HOUSE SPONSORSHIP

Coram,

Senate Committees

Health and Human Services
Appropriations

House Committees

Health and Environment
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE TEEN PREGNANCY AND DROPOUT PREVENTION**
102 **PROGRAM, AND, IN CONNECTION THEREWITH, CONTINUING THE**
103 **PROGRAM, AND MAKING AN APPROPRIATION.**

Bill Summary

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

Sunset Process - Senate Health and Human Services Committee. The bill extends the repeal date for the teen pregnancy and dropout prevention program (program) by 5 years to September 1, 2016, and requires the department of regulatory agencies to review the program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Am ended 2nd Reading
May 6, 2011

SENATE
3rd Reading Unam ended
April 21, 2011

SENATE
Am ended 2nd Reading
April 20, 2011

prior to its repeal.

The department of health care policy and financing (HCPF) shall collaborate with the department of public health and environment, and may collaborate with other public agencies or nonprofit organizations, to promote and expand provider participation. HCPF shall also collaborate with the department of education to facilitate services to at-risk teenagers and teen parents.

Program providers shall collect data relating to the effectiveness of the program and provide the data to HCPF. Providers shall survey program participants to measure participant behaviors that are consistent with reducing teen pregnancies and shall report survey results to HCPF along with the number of program participants and, to the extent determinable by the provider, the number of program participants who drop out of school, become pregnant, or impregnate another person.

The bill creates an exception to the prohibition on the use of general fund moneys to allow general fund moneys to be used for HCPF's internal administrative costs in providing expanded program promotion and oversight.

The bill repeals an obsolete reporting requirement.

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

2 **SECTION 1.** 25.5-5-603 (1) and (3), Colorado Revised Statutes,
3 are amended, and the said 25.5-5-603 is further amended BY THE
4 ADDITION OF A NEW SUBSECTION, to read:

5 **25.5-5-603. Program - teen pregnancy and dropout**
6 **prevention.** (1) (a) The general assembly authorizes the department to
7 implement a statewide program for teen pregnancy and dropout
8 prevention to serve teenagers who are medicaid recipients. The
9 department shall design a program based upon community support and
10 assistance, percentage of births in the community that have been funded
11 under the state medical assistance program, the use of program designs
12 that include accurate methods for measuring the effectiveness of the
13 program, and availability of additional federal funds and local or private
14 funding. The department may seek any federal waivers that may be

1 necessary to implement this part 6.

2 (b) IN IMPLEMENTING A STATEWIDE PROGRAM PURSUANT TO
3 PARAGRAPH (a) OF THIS SUBSECTION (1), THE DEPARTMENT SHALL
4 COLLABORATE WITH THE DEPARTMENT OF PUBLIC HEALTH AND
5 ENVIRONMENT AND MAY COLLABORATE WITH OTHER PUBLIC AGENCIES
6 AND NONPROFIT ORGANIZATIONS TO PROMOTE AND EXPAND PROVIDER
7 PARTICIPATION IN THE PROGRAM. ADDITIONALLY, THE DEPARTMENT
8 SHALL COLLABORATE WITH THE DEPARTMENT OF EDUCATION TO
9 FACILITATE THE PROVISION OF SERVICES TO AT-RISK TEENAGERS AND TEEN
10 PARENTS.

11 (2.5) (a) PROVIDERS PROVIDING SERVICES UNDER THE PROGRAM
12 SHALL COLLECT DATA RELEVANT TO MEASURING THE PROGRAM'S
13 EFFECTIVENESS BY SURVEYING PROGRAM PARTICIPANTS AT THE
14 BEGINNING OF PARTICIPATION, DURING THE PROGRAM, AND AT THE END OF
15 PARTICIPATION CONCERNING CERTAIN BEHAVIORS THAT DECREASE THE
16 LIKELIHOOD OF TEEN PREGNANCY, INCLUDING:

- 17 (I) POSTPONING THE FIRST SEXUAL ENCOUNTER;
- 18 (II) REDUCING THE FREQUENCY OF SEXUAL INTERCOURSE;
- 19 (III) REDUCING THE NUMBER OF SEXUAL PARTNERS OR
20 MAINTAINING MONOGAMOUS RELATIONSHIPS;
- 21 (IV) INCREASING THE EFFECTIVE USE OF CONTRACEPTION; AND
- 22 (V) REDUCING THE INCIDENCE OF UNPROTECTED SEX.

23 (b) PROVIDERS SHALL PROVIDE THE DEPARTMENT WITH A
24 SUMMARY OF THE SURVEY RESULTS COLLECTED PURSUANT TO PARAGRAPH
25 (a) OF THIS SUBSECTION (2.5) ALONG WITH INFORMATION, TO THE EXTENT
26 DETERMINABLE BY THE PROVIDER, CONCERNING THE NUMBER OF
27 PARTICIPANTS WHO, WHILE ENROLLED IN THE PROGRAM OR AFTER

1 LEAVING THE PROGRAM:

2 (I) DROP OUT OF SCHOOL;

3 (II) BECOME PREGNANT AS A TEENAGER; OR

4 (III) AS A TEENAGER, IMPREGNATE SOMEONE.

5 (3) The teen pregnancy and dropout prevention program shall be
6 financed with federal funds, local contributions, and any grants or
7 donations from private entities. No general fund moneys shall be used to
8 finance the program; EXCEPT THAT THE GENERAL ASSEMBLY MAY
9 APPROPRIATE ANY MONEYS NECESSARY FOR THE INTERNAL
10 ADMINISTRATIVE COSTS OF THE DEPARTMENT FOR PROVIDING EXPANDED
11 PROGRAM PROMOTION AND OVERSIGHT.

12 **SECTION 2.** 25.5-5-604, Colorado Revised Statutes, is amended
13 to read:

14 **25.5-5-604. Report.** The department shall ~~provide a report~~
15 ~~ANNUALLY to the general assembly no later than September 1, 2010,~~
16 ~~demonstrating~~ JOINT BUDGET COMMITTEE, THE HEALTH AND
17 ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY
18 SUCCESSOR COMMITTEE, AND THE HEALTH AND HUMAN SERVICES
19 COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEE,
20 CONCERNING the effectiveness of the program. ~~and evaluating whether the~~
21 ~~program should be continued.~~ THE REPORT SHALL INCLUDE AT A
22 MINIMUM THE NUMBER OF NEW PROVIDERS PARTICIPATING IN THE
23 PROGRAM, THE NUMBER OF ADDITIONAL PROGRAM PARTICIPANTS, THE
24 PREGNANCY RATE FOR PROGRAM PARTICIPANTS AS COMPARED TO THE
25 PREGNANCY RATE FOR MEDICAID CLIENTS OF THE SAME AGE GROUP IN THE
26 SAME GEOGRAPHIC AREA, AND A SUMMARY OF THE INFORMATION
27 COLLECTED BY THE DEPARTMENT PURSUANT TO SECTION 25.5-5-603 (2.5)

1 CONCERNING PARTICIPANT BEHAVIORS THAT DECREASE THE LIKELIHOOD
2 OF TEEN PREGNANCY.

3 **SECTION 2.** 25.5-5-605, Colorado Revised Statutes, is amended
4 to read:

5 **25.5-5-605. Repeal of part.** This part 6 is repealed, effective ~~July~~
6 ~~1, 2011~~ SEPTEMBER 1, 2016. Prior to such repeal, the teen pregnancy and
7 dropout prevention program implemented by the department pursuant to
8 this part 6 shall be reviewed as provided in section 24-34-104, C.R.S.

9 **SECTION 3. Repeal.** 24-34-104 (42) (j), Colorado Revised
10 Statutes, is repealed as follows:

11 **24-34-104. General assembly review of regulatory agencies**
12 **and functions for termination, continuation, or reestablishment.**

13 (42) The following agencies, functions, or both, shall terminate on July
14 1, 2011:

15 (j) ~~The teen pregnancy and dropout prevention program, created~~
16 ~~in section 25.5-5-603, C.R.S.;~~

17 **SECTION 4.** 24-34-104 (47.5), Colorado Revised Statutes, is
18 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

19 **24-34-104. General assembly review of regulatory agencies**
20 **and functions for termination, continuation, or reestablishment.**

21 (47.5) The following agencies, functions, or both, shall terminate on
22 September 1, 2016:

23 (c) THE TEEN PREGNANCY AND DROPOUT PREVENTION PROGRAM,
24 CREATED IN SECTION 25.5-5-603, C.R.S.

25 **SECTION 5. Adjustments in 2011 long bill.** For the
26 implementation of this act, appropriations made in the annual general
27 appropriation act for the fiscal year beginning July 1, 2011, to the

1 department of health care policy and financing, shall be adjusted as
2 follows:

3 (1) The appropriation to the executive director's office, for
4 personal services, is increased by forty-seven thousand eight hundred
5 seventeen dollars (\$47,817) and 1.0 FTE. Of said sum, twenty-three
6 thousand nine hundred nine dollars (\$23,909) shall be from the general
7 fund and twenty-three thousand nine hundred eight dollars (\$23,908) shall
8 be from federal funds.

9 (2) The appropriation to the executive director's office, for
10 operating expenses, is increased by five thousand six hundred fifty-three
11 dollars (\$5,653). Of said sum, two thousand eight hundred twenty-six
12 dollars (\$2,826) shall be from the general fund and two thousand eight
13 hundred twenty-seven dollars (\$2,827) shall be from federal funds.

14 (3) The appropriation to the medical services premiums section is
15 increased by three hundred eighty-six thousand six hundred sixty-five
16 dollars (\$386,665). Of said sum, thirty-eight thousand six hundred
17 sixty-six dollars (\$38,666) shall be cash funds from certified public
18 expenditures by the counties and three hundred forty-seven thousand nine
19 hundred ninety-nine dollars (\$347,999) shall be from federal funds.

20 (4) The appropriation to the medical services premiums section is
21 decreased by fifty-three thousand four hundred seventy dollars (\$53,470).
22 Of said sum, twenty-six thousand seven hundred thirty-five dollars
23 (\$26,735) shall be from the general fund and twenty-six thousand seven
24 hundred thirty-five dollars (\$26,735) shall be from federal funds.

25 **SECTION 6. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.