

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer



Colorado Department
of Public Health
and Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

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NOTICE OF PUBLIC RULE-MAKING HEARING BEFORE THE COLORADO BOARD OF HEALTH

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on January 16, 2013, at 10 a.m., in the Sabin-Cleere Conference Room of the Colorado Department of Public Health and Environment, Bldg. A, First Floor, 4300 Cherry Creek Drive, South, Denver, CO 80246.

The purpose of this hearing is to receive public comments on amendments to 6 CCR 1011-1, Chapter II, General Licensure Standards, with conforming amendments to Chapter VII, Assisted Living Facilities, Chapter XXI, Hospices and Chapter XXVI, Home Care Agencies. The amendments are being proposed primarily to implement House Bill 12-1294. The amendments propose to: 1) establish a schedule for an extended survey cycle or a tiered inspection or survey system; 2) apply the extended survey cycle or tiered inspection for health facilities that have been licensed for at least three years and that have not been the subject of any enforcement activity or complaints within the past three years; 3) institute a performance incentive system to reduce renewal license fees for health facilities that have no specific deficiencies; and 4) revise the criteria the Department may consider when examining a potential change of ownership of a health care entity. Lastly, the proposed amendments require that assisted living facilities disclose to potential residents whether or not the facility has staff that is awake 24 hours per day.

The proposed rules have been developed by the Health Facilities and Emergency Medical Services Division of the Colorado Department of Public Health and Environment pursuant to Sections 25-1.5-103, 25-3-101, *et seq.*, 25-27-104, and 25-27.5-104, C.R.S.

Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Health Facilities and Emergency Medical Services Division (HFEMS-A2), 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-2800. The proposed amendments will also be available on the Board's Web site at <http://www.colorado.gov/cs/Satellite/CDPHE-Main/CBON/1251622332257> under "Notices of Upcoming Public Rulemaking Hearings and Draft Proposed Rules."

The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing.

At the discretion of the Chair, oral testimony at the hearing may be limited to five minutes or less depending on the number of persons wishing to comment. Written testimony must be submitted to the Board no later than five (5) calendar days prior to the rulemaking hearing.

Persons wishing to submit written comments should submit them to: Colorado Board of Health, ATTN: Jamie L. Thornton, Program Assistant, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 or by e-mail at: Jamie.thornton@state.co.us

The proposed revisions to be considered at the hearing, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the above address by any person at least five working days prior to the hearing.

Dated this 20 day of November 2012.

Christopher E. Urbina, MD, MPH
Executive Director/Chief Medical Officer