

STATE OF COLORADO

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

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

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 August 21, 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, to consider the promulgation of amendments to 6 CCR 1009-4, Ophthalmic Ointment in Newborn Infants. A copy of the meeting agenda will be posted on the Board's web site at: <http://www.colorado.gov/cs/Satellite/CDPHE-Main/CBON/1251622332257> at least seven (7) days prior to the meeting.

The purpose of this hearing is to receive public comments on 6 CCR 1009-4, Ophthalmic Ointment in Newborn Infants. The proposed rules (amendments) repeal this outdated rule in which the Colorado State Board of Health officially names and approves Tetracycline ophthalmic ointment and Erythromycin ophthalmic ointment as a prophylaxis to be used in treating the eyes of newly born infants. This change is necessitated by House Bill 12-1058 which repealed statutes requiring the Department to name, approve, and provide, free of charge, a prophylaxis to be used in treating the eyes of newly born infants. Under the new statutory provisions, the health care provider in charge of the birth is required to treat an infant with a prophylaxis that is in accordance with the current medical standard of care. In light of the statutory provision requiring the current medical standard of care be used, the Department determined that the current rule is no longer necessary or appropriate.

The proposed rules have been developed by the Disease Control and Environmental Epidemiology Division of the Colorado Department of Public Health and Environment pursuant to Section 25-4-301, C.R.S.


Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Disease Control and Environmental Epidemiology Division DCEED-A3 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-2700. 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.

PURSUANT TO 6 CCR 1014-8, §3.02.1, 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 21 of June 2013.



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