

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REREVISED

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

LLS NO. 15-0322.01 Nicole Myers x4326

HOUSE BILL 15-1059

HOUSE SPONSORSHIP

Garnett,

SENATE SPONSORSHIP

Guzman,

House Committees

Health, Insurance, & Environment

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE BOARD OF DIRECTORS OF THE DENVER HEALTH AND**
102 **HOSPITAL AUTHORITY.**

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>.)

The Denver health and hospital authority (authority) provides health care services for all citizens of Denver, regardless of ability to pay. The authority is currently governed by a 9-member board of directors (board) that is responsible for the operation of the authority. The members of the board are appointed by the Denver mayor, and each member serves a 5-year term.

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.*

SENATE
Amended 3rd Reading
March 3, 2015

SENATE
Amended 2nd Reading
March 2, 2015

HOUSE
3rd Reading Unamended
February 4, 2015

HOUSE
Amended 2nd Reading
February 3, 2015

The bill increases the number of members on the board from 9 to 11 beginning on July 1, 2015. The initial and subsequent terms of both new members appointed by the mayor are 5 years.

The bill deletes a reference to the Denver board of health and hospitals, as that board no longer exists.

In addition, the bill eliminates the current process for removing a board member from the board and creates a new process for a board member to be removed from the board. Currently, any board member may only be removed by the mayor or by the Denver city council for any cause that renders the member unfit for the position. Beginning on July 1, 2015, any member may be removed upon a unanimous vote of the board, excluding the member to be removed, and approval of the mayor. A member removed from the board pursuant to the new removal process does not have the right to appeal the board's decision.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-29-103, **amend**
3 (2) and (4) as follows:

4 **25-29-103. Denver health and hospital authority - repeal.**

5 (2) PRIOR TO JULY 1, 2016, the authority shall be governed by a
6 nine-member board of directors, ~~which~~ AND ON AND AFTER JULY 1, 2016,
7 THE AUTHORITY SHALL BE GOVERNED BY AN ELEVEN-MEMBER BOARD OF
8 DIRECTORS. THE BOARD shall be responsible for the operation of the
9 health system. The mayor shall appoint the members of the board whose
10 appointments shall be conditioned upon confirmation by the Denver city
11 council. Of the nine members first appointed, four shall serve a term of
12 two years and five shall serve a term of five years. Thereafter, all
13 members, INCLUDING THE TWO MEMBERS FIRST APPOINTED FOR TERMS
14 BEGINNING ON JULY 1, 2016, shall serve five-year terms. ~~The seven~~
15 ~~members of the Denver board of health and hospitals, regardless of~~
16 ~~constraints upon the terms of office or any appointments or~~
17 ~~reappointments to the Denver board of health and hospitals, shall serve~~

1 ~~ex officio as a nonvoting advisory panel to the authority's board. In the~~
2 ~~event the Denver charter no longer provides for the Denver board of~~
3 ~~health and hospitals, the seven members of such board shall no longer~~
4 ~~serve the authority in any capacity.~~ Actions of the board shall require the
5 affirmative vote of the majority of the total membership of the board. The
6 board shall annually elect a chairperson from among its members. Any
7 member may be elected to serve successive terms as chairperson.

8 (4) (a) (I) PRIOR TO JULY 1, 2015, any member may be removed
9 pursuant to city ordinance for any cause which renders the member unfit
10 for the position after written notice has been provided to the member by
11 the mayor or council of the city stating the specific grounds which
12 constitute cause for removal and upon providing the member an
13 opportunity to be heard.

14 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2015.

15 (b) ON AND AFTER JULY 1, 2015, ANY MEMBER MAY BE REMOVED
16 UPON A UNANIMOUS VOTE OF THE BOARD, EXCLUDING THE MEMBER TO BE
17 REMOVED, AND APPROVAL OF THE MAYOR. THE DECISION TO REMOVE A
18 BOARD MEMBER PURSUANT TO THIS PARAGRAPH (b) SHALL BE BASED ON
19 THE BOARD'S DETERMINATION THAT THE MEMBER TO BE REMOVED HAS
20 FAILED TO PERFORM HIS OR HER DUTIES AS A BOARD MEMBER OR HAS
21 ENGAGED IN CONDUCT DETRIMENTAL TO THE HOSPITAL AUTHORITY OR
22 THE BOARD. PRIOR TO THE REMOVAL OF THE MEMBER, THE BOARD SHALL
23 PROVIDE WRITTEN NOTICE TO THE MEMBER. A MEMBER REMOVED FROM
24 THE BOARD PURSUANT TO THIS PARAGRAPH (b) DOES NOT HAVE THE RIGHT
25 TO APPEAL THE BOARD'S DECISION TO REMOVE THE MEMBER FROM THE
26 BOARD.

27 **SECTION 2.** In Colorado Revised Statutes, 25-29-112, **amend**

1 (1) (1) as follows:

2 **25-29-112. General powers of authority.** (1) In addition to any
3 other powers granted to the authority in this article, the authority shall
4 have the following powers:

5 (1) To fix the time and place or places at which its regular and
6 special meetings are to be held. Meetings shall be held on the call of the
7 presiding officer, but no less than ~~eight~~ SIX meetings shall be held
8 annually.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.