



COLORADO

**Department of
Regulatory Agencies**

Colorado Office of Policy, Research &
Regulatory Reform

2017 Sunset Reviews:

**Colorado Advisory Council for Persons
with Disabilities**

Colorado Youth Advisory Council

Consumer Insurance Council

Food Systems Advisory Council

Stroke Advisory Board

Wildland-Urban Interface Training Advisory Board

October 13, 2017



CO L O R A D O

**Department of
Regulatory Agencies**

Executive Director's Office

October 13, 2017

Members of the Colorado General Assembly
c/o the Office of Legislative Legal Services
State Capitol Building
Denver, Colorado 80203

Dear Members of the General Assembly:

The General Assembly established a sunset review process for advisory committees and boards in 1986 as a way to analyze and evaluate their efficacy and to determine whether they should continue. Since their creation, Colorado's sunrise and sunset processes have gained national recognition and are routinely highlighted as best practices as governments seek to streamline regulation and increase efficiencies.

Section 2-3-1203(2)(b)(III), Colorado Revised Statutes, directs the Department of Regulatory Agencies to submit a report containing such analysis and evaluation to the office of legislative legal services no later than October 15 of the year preceding the date established for termination.

The Colorado Office of Policy, Research and Regulatory Reform (COPRRR), located within my office, is responsible for fulfilling these statutory mandates. Accordingly, COPRRR has completed its evaluations of the Colorado Advisory Council for Persons with Disabilities, the Colorado Youth Advisory Council, the Consumer Insurance Council, the Food Systems Advisory Council, the Stroke Advisory Board, and the Wildland-Urban Interface Training Advisory Board. I am pleased to submit this written report, which will be the basis for COPRRR's oral testimony before the 2018 legislative committees of reference.

The report discusses the effectiveness of the committees in carrying out the intention of the statutes and makes recommendations as to whether the advisory committees should be continued.

Sincerely,

Marguerite Salazar
Executive Director





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Colorado Youth Advisory Council

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KEY RECOMMENDATIONS

Sunset the Colorado Advisory Council for Persons with Disabilities.

The purpose of this advisory council was to promote equality of opportunity, independent living, and economic self-sufficiency for all of the state's citizens, including persons with disabilities. Unfortunately, the advisory council is not well placed within the state government and, consequently, it has been unable to fulfill its mission.

Continue the Colorado Youth Advisory Council.

COYAC provides a unique opportunity for young people to participate in the political process, and in keeping with its statutory mandate, COYAC helps legislators keep abreast of issues concerning youth. COYAC also promotes civic engagement and allows young people from diverse backgrounds to forge connections, understand different viewpoints, engage in productive discourse, and build consensus.

Sunset the Consumer Insurance Council.

The CIC has not presented any formal recommendations to the Commissioner of Insurance or awarded the annual consumers' choice award. It has, therefore, not fulfilled its statutory mandates. Further, this lack of activity does not appear to have hampered the Commissioner's ability to regulate the insurance industry.

Continue the Food Systems Advisory Council.

The Food Council is uniquely poised to coordinate among the food system's diverse stakeholders; identify system-wide issues; connect communities with grants and other philanthropic resources; increase access to healthy, locally grown foods; and discover and promote opportunities for agriculture-based economic development. There is still considerable work for the Food Council to do, particularly in the ongoing development of the blueprint of Colorado's food and agriculture sectors.

Continue the Stroke Advisory Board.

The Board is well positioned to provide guidance to policymakers in the continuing effort to improve stroke care in Colorado. The General Assembly recognized the treatment of strokes as an urgent priority when it passed Senate Joint Resolution 17-027, which identifies the need to improve emergency medical response times for stroke patients and to augment the education addressing the assessment and triage of stroke patients that is provided to emergency medical responders. The Board could be instrumental in helping to implement such improvements.

Sunset the Wildland-Urban Interface Training Advisory Board.

The Advisory Board was created in statute to facilitate the establishment of a program within the Division of Fire Prevention and Control regarding fire safety issues at the wildland-urban interface. It accomplished its statutory directive and has not met since June 2010. The Board achieved its goal and there are no further statutory directives for it to consider.

MAJOR CONTACTS MADE DURING THESE REVIEWS

Colorado Cross-Disability Coalition
Colorado Department of Public Health and Environment
Colorado Department of Public Safety, Division of Fire Prevention and Control
Colorado Division of Insurance
Colorado Legislative Council
Colorado State University
Governor’s Office of Boards and Commissions

What is a Sunset Review?

A sunset review is a periodic assessment of state boards, programs, and functions to determine whether they should be continued by the legislature. Sunset reviews focus on creating the least restrictive form of regulation consistent with protecting the public. In formulating recommendations, sunset reviews consider the public’s right to consistent, high quality professional or occupational services and the ability of businesses to exist and thrive in a competitive market, free from unnecessary regulation.

Sunset Reviews are prepared by:
Colorado Department of Regulatory Agencies
Colorado Office of Policy, Research and Regulatory Reform
1560 Broadway, Suite 1550, Denver, CO 80202
www.dora.colorado.gov/opr



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Background

Introduction

As part of the sunset review of an advisory committee, the advisory committee that is scheduled to repeal must submit to the Department of Regulatory Agencies, through the Colorado Office of Policy, Research and Regulatory Reform (COPRRR), on or before July 1 of the year preceding the year in which the advisory committee is scheduled to repeal:¹

- The names of current members of the advisory committee;
- All revenues and all expenditures, including advisory committee expenses, *per diem* paid to members, and any travel expenses;
- The dates all advisory committee meetings were held and the number of members attending the meetings;
- A listing of all advisory proposals made by the advisory committee, together with an indication as to whether each proposal was acted upon, implemented or enacted into statute; and
- The reasons why the advisory committee should be continued.

Importantly, sunset reviews of advisory committees do not, generally, analyze the underlying program to which the committee is expected to render advice or recommendations. If an advisory committee is sunset, the underlying program will continue.

Sunset Process

As with sunset reviews of programs, agency officials and other stakeholders can submit input regarding an advisory committee through a variety of means, including at www.dora.colorado.gov/opr.

The Colorado Advisory Council for Persons with Disabilities, the Colorado Youth Advisory Council, the Consumer Insurance Council and the Wildland-Urban Interface Training Advisory Board shall terminate on July 1, 2018, and the Food Systems Advisory Council and the Stroke Advisory Board shall terminate on September 1, 2018, unless continued by the General Assembly. It is the duty of COPRRR to conduct an analysis and evaluation of these advisory committees pursuant to section 2-3-1203, Colorado Revised Statutes.

The purpose of these reviews is to determine whether these committees should be continued for the protection of the public and to evaluate their performance. COPRRR's findings and recommendations are submitted via this report to the legislative committees of reference of the Colorado General Assembly.

¹ §§ 2-3-1203(2)(b)(I) and (II), C.R.S.

Colorado Advisory Council For Persons With Disabilities

Creation, Mission and Make-Up

Because nearly 500,000 Coloradans have a physical, mental, or developmental disability, the General Assembly created the Colorado Advisory Council for Persons with Disabilities (Advisory Council) in 2008² to ensure equality of opportunity, independent living, and economic self-sufficiency for all of the state's citizens, including persons with disabilities.³

The Advisory Council is housed in the office of the Governor and he or she may appoint up to 20 members. A minimum of seven members must represent state agencies serving the disabled. The remaining members must represent persons with disabilities from business and industry, disability advocacy organizations, and other nonprofit organizations. Member terms expire at the pleasure of the Governor.⁴

If the Governor fails to appoint a person to fill a vacancy within 60 days, the Speaker of the House and the President of the Senate have an additional 30 days to fill the vacancy. If the Speaker and President do not appoint a member within the 90 days allotted, the Advisory Council must appoint a qualified person.⁵

Responsibilities of the Advisory Council

The Advisory Council is directed to perform two types of tasks. It has advisory responsibilities and supervisory responsibilities.

The advisory responsibilities entail coordinating with state boards, advisory councils, and commissions concerning the disabled; advising both the Governor and legislature on legislation and state policies which touch the disabled; and issuing a report to the Governor and General Assembly on the state's programs, services, and policies affecting and addressing persons with disabilities.⁶

The more supervisory chores entail monitoring enforcement of the Americans with Disabilities Act of 1990 (ADA), including the interests of those with mental disabilities based on *Olmstead v. L.C.*, 527 U.S. 581 (1999). Beyond those responsibilities, the Advisory Council is directed to receive grievances by the public concerning disability issues and forward the complaints to the appropriate place within state government.⁷

² § 24-45.5-101(a), C.R.S.

³ § 24-45.5-101(1)(d), C.R.S.

⁴ §§ 24-45.5-103(2) and -103(3), C.R.S.

⁵ § 24-45.5-103(4), C.R.S.

⁶ § 24-45.5-104(1)(a), (1)(b), and (1)(c), C.R.S.

⁷ §§ 24-45.5-104(1)(d) and -(1)(e), C.R.S.

Revenues and Expenditures

Advisory Council members do not receive compensation for being on the Advisory Council but may be reimbursed for actual and necessary expenses associated with Advisory Council duties, mileage, and expenses associated with providing accommodations for an Advisory Council member's disability.⁸

Advisory Council activities are funded by a line-item in the budget allocation for the Governor's office. Expenses concerning meetings and the accommodation of disabilities amounted to \$1,723 each year, for fiscal years 15-16 and 16-17.

In addition to those expenses, the Advisory Council produced an instructional video to educate individuals and local governments concerning handicap parking spaces and the disposition of fines in accordance with its ADA duties. The production costs were \$6,954 for fiscal year 15-16 and \$3,595 for fiscal year 16-17.

Meetings of the Advisory Council

The Advisory Council is required by statute to meet at least quarterly. Meetings can be called by the chairperson or at the request of three members.⁹ During the period examined for this sunset review, the Advisory Council held two types of meetings monthly. One meeting was to conduct general Advisory Council business and the other was a meeting of the parking committee.

Table 1 enumerates the dates and the number of people who attended the monthly Advisory Council meetings and parking committee meetings during the period covered by this sunset review.

⁸ §§ 21-45.5-103(6) and -105(2), C.R.S.

⁹ § 24-45.5-103(5), C.R.S.

Table 1
Advisory Council Meetings
Fiscal Years 2015-16 and 2016-17

Date	Advisory Council Meeting Attendance	Parking Committee Meeting Attendance
July 14, 2015	16	12
August 11, 2015	11	11
September 8, 2015	12	15
October 13, 2015	14	13
November 10, 2015	Not Available	9
December 8 2015	15	6
January 12, 2016	15	9
February 9, 2016	13	11
March 8, 2016	8	13
April 12, 2016	Not Available	14
May 10, 2016	11	12
June 14, 2016	18	9
July 12, 2016	14	14
August 9, 2016	Not Available	8
September 13, 2016	15	7
October 11, 2016	13	9
November 8, 2016	13	10
December 13, 2016	12	10
January 10, 2017	16	11
February 14, 2017	14	13
March 14, 2017	13	12
April 11, 2017	10	9
May 9, 2017	14	8
June 13, 2017	10	9

Table 1 shows that attendance at the general Advisory Council meetings, for which data were provided, averaged just over 13 people. Attendance at the parking meetings averaged just fewer than 11 people per month.

Proposals and Accomplishments

The Advisory Council's work has triggered ADA site surveys, which identified barriers to making facilities more accessible to all patrons, especially for people with disabilities.

It has educated small businesses, non-profit organizations, entertainment venues, and Colorado citizens in barrier removal and assistive technology concerning:

- Communication using inductive looping systems, video phones, sign language interpreting, and captioning;
- Mobility for disabled persons;
- Blind/visually impaired issues such as web design, programming concerns, signal devices, and warning devices;
- Public programs and policies surrounding the issues of public health, human services, job center services, transportation, and service animals;
- Facility design;
- Public right of way access using ramps, sidewalks, running slopes, and railings; and
- Parks and recreation design with access to play areas, sidewalks, running slopes, railings, and playground equipment.

The Advisory Council produced an educational video which informs local governments on the necessity of enforcing handicap parking spaces.

It is unclear how efficacious the Advisory Council has been regarding receiving and forwarding complaints concerning disability issues. Members anecdotally recalled working on such issues but there is no record of such endeavors.

The Advisory Council has also sent representatives to the following:

- The National ADA Symposium,
- Annual Senior Day at the Capitol, and
- Annual ADA Anniversary Celebrations in Colorado Springs and Denver.

As an advisory body to the Governor and the legislature the results are mixed. The Advisory Council supported 19 bills during the 2016 legislative session and eight were postponed indefinitely. This equates to a success rate of 58 percent. The Council opposed three bills, two of which were signed by the Governor. This equates to a success rate of 33 percent. The 2017 legislative session yielded better results for the Advisory Council. It reported that 23 of 26 bills it supported went to the Governor. This equates to a success rate of 88 percent.

Reasons to Sunset the Advisory Council

The Advisory Council has never really found a niche at the Governor's office or with the legislature because the enabling statute does not designate an access point for its input. It does not have an official lobbying designation and all policy positions must be cleared with the Governor's policy staff. Without formal access to give advice, its effectiveness as a legislative advisor is limited.

It has had some success advocating for ADA issues by educating decision makers in local governments and private business. However, it is unclear that this work needs to be carried out by a State-sanctioned body.

On December 10, 2014, the Advisory Council wrote a letter to the Governor concerning ADA coordinators asking that it be shared with other state agencies. This is the only correspondence uncovered that could be construed to satisfy the mandate that it report to the Governor and General Assembly on the state's programs, services, and policies affecting and addressing persons with disabilities. One could consider that the report was made and the task accomplished so there is no need to continue, or one could consider that this letter does not satisfy the mandate and the Advisory Council did not fulfill its mission. The content of the letter does not specifically address that it is a report fulfilling a statutory mandate.

Analysis and Recommendation

While the notion of the Advisory Council is laudable, the enabling statute does not contain clear direction to guide Advisory Council actions. It can point to limited success as an advisor on ADA issues but even those successes seem to be based on one issue—parking. It is unclear if the Advisory Council actually fulfilled the one concrete task it was assigned, to report to the Governor and the General Assembly on the condition of the state's programs.

The accomplishments it has achieved need not have been undertaken by a government advisory commission. Therefore, the General Assembly should sunset the Advisory Council.

Colorado Youth Advisory Council

Creation, Mission and Make-Up

The General Assembly created the Colorado Youth Advisory Council (COYAC) in 2008. COYAC's mission is to formally advise and make recommendations to elected officials regarding issues affecting Colorado youth. The issues may include:¹⁰

- Education and skills development;
- Employment and economic opportunities, including increasing accessibility to such opportunities for rural youth;
- Access to state and local government services;
- The environment;
- Behavioral and physical health, including suicide prevention;
- Safe environments for youth, including preventing bullying;
- Substance abuse;
- Poverty; and
- Increased youth participation in state and local government.

COYAC consists of 44 members: 4 non-voting legislative members (2 members of the House of Representatives and 2 members of the Senate); 35 voting members representing each Colorado Senate district; and 5 voting at-large members selected to help ensure diversity on COYAC, with an express concern for adequate rural representation.¹¹

All voting members must, at the time of appointment, be at least 14 but no older than 19 years of age; and attend a Colorado junior high, middle, or high school, be participating in a home-based educational program or high school equivalency examination program, or have obtained a high school diploma through successful completion of a high school equivalency examination.¹²

Anyone meeting these criteria may apply to serve on COYAC. Current COYAC members appoint new members to COYAC by a majority vote.¹³

The Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate appoint one non-voting legislative member each.¹⁴

COYAC members serve two-year terms and may be selected for a subsequent two-year term.¹⁵ COYAC must meet at least four times a year: twice during the legislative session and twice after the session has ended.¹⁶

¹⁰ § 2-2-1302(1), C.R.S.

¹¹ § 2-2-1303(1), C.R.S.

¹² § 2-2-1303(1)(b)(II), C.R.S.

¹³ § 2-2-1303(2)(a)(III)(A), C.R.S.

¹⁴ § 2-2-1303(2)(b), C.R.S.

¹⁵ § 2-2-1303(3), C.R.S.

¹⁶ § 2-2-1304(2)(b), C.R.S.

COYAC, in conjunction with the Director of the Legislative Council, contracts with a non-profit entity to provide staffing and operational assistance to COYAC. The current contracted non-profit entity is Engaged Public.

Responsibilities of COYAC

COYAC's responsibilities include:¹⁷

- Working with local and state youth groups and advisory councils to identify the concerns and needs of Colorado youth and possible solutions;
- Collecting, analyzing, and providing information on youth-related issues to legislative committees, commissions, task forces, and state agencies and departments as appropriate;
- Making oral and written recommendations to members of the General Assembly on proposed or pending legislation; and
- Setting priorities and establishing any committees that may be necessary to achieve the goals of COYAC.

COYAC must use news outlets and publications, public awareness campaigns, and a website to develop and maintain regular communication with the youth of Colorado, the state of Colorado, and interested parties.¹⁸ COYAC must make annual reports to the General Assembly containing COYAC's recommendations on key issues for youth and summarizing its work for the previous year.¹⁹

Revenues and Expenditures

For the past two fiscal years, the General Assembly has made an annual appropriation for COYAC. The non-profit designated to administer COYAC may also solicit gifts, grants, and donations to fund its activities.²⁰

Table 2 illustrates the total revenues and expenditures for fiscal years 15-16 and 16-17.

¹⁷ § 2-2-1304(1), C.R.S.

¹⁸ § 2-2-1304(3), C.R.S.

¹⁹ § 2-2-1305, C.R.S.

²⁰ § 2-2-1304(4)(a), C.R.S.

Table 2
Revenues and Expenditures for COYAC

	FY 15-16	FY 16-17
Appropriation	\$25,000	\$25,000
Grants	\$5,000	0
Interest income	\$175	\$175
Total Revenues	\$30,175	\$25,175
Total Expenditures	\$29,968	\$24,912

Most of the expenditures are for staff expenses, followed by food and lodging expenses for COYAC members who travel to meetings. The expenses of COYAC’s legislative members are reimbursed via the legislative budget.

Meetings of COYAC

COYAC met four times in fiscal year 15-16 and four times in fiscal year 16-17. Generally, about 20 to 25 members attended each meeting.

Proposals and Their Status

COYAC makes annual reports to the General Assembly that identify policy issues that are critical to youth and propose potential solutions. As a first step in selecting these policy areas, COYAC members met with their respective state legislators to gain a better understanding of policy priorities and constituent needs. Then COYAC met as a whole to see what common themes emerged from the group discussion.

In fiscal years 15-16 and 16-17, COYAC made recommendations addressing the following topics.

21st Century Learning. COYAC recognized that education, especially related to high schools, is arguably the most important issue to Colorado youth. To improve educational opportunities for youth, COYAC recommended promoting vocational learning and life skills courses, and canceling plans to replace the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment test with the Scholastic Aptitude Test (SAT).

Teen Drug and Alcohol Abuse. COYAC observed that schools’ “zero-tolerance” policies regarding drugs and alcohol had not had a significant impact on drug and alcohol abuse among Colorado teens. COYAC recommended establishing Teen Courts—teen-directed programs which offer other teens the opportunity to have their records expunged by completing educational and rehabilitative programs—and other alternative restorative justice programs across the state, and increasing funding to existing Teen Courts to allow them to expand their jurisdictions.

Issues of Underrepresented Populations. COYAC identified refugees and lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth as needing additional services, and recommended increasing grant funding for refugees to learn English and life skills; expanding the training offered to middle- and high-school educators on how to support LGBTQ students; and assuring that the provisions of Colorado’s anti-bullying law (House Bill 11-1254) are implemented in 80 percent of schools by 2020.

Access to Mental Health Services. Recognizing that suicide is the second leading cause of death for Colorado youth, COYAC recommended supporting Senate Bill 16-147, which established a suicide prevention program at the Colorado Department of Public Health and Environment. COYAC also recommended funding a teen-focused, interactive website that addresses mental health issues and suicide prevention and increasing funding for the School Health Professional Grant Program, which increased the number of mental health-care professionals in schools.

Education and Technology. COYAC recommended that the General Assembly mandate the formation of an interim committee at the Colorado Department of Education to track and respond to technological issues such as “sexting” and develop curriculum that educators can use to teach students about technological issues.

Secondary Education/Individual Career and Academic Plan (ICAP) Review. COYAC found that most Colorado schools had not effectively implemented ICAP, which was meant to guide students from 6th grade forward in their academic and career choices. COYAC recommended forming a Colorado ICAP Interim Committee composed of Colorado high school students, parents, teachers, and legislators to reform the ICAP system.

Teen Homelessness. COYAC identified this as a priority issue in fiscal year 16-17, and will release its recommendations on this topic in the coming year, provided the General Assembly continues COYAC.

While COYAC’s recommendations did not lead directly to legislation, they gave the General Assembly insight into the issues important to Colorado youth.

Reasons for Continuation of COYAC

Though they are too young to vote, children are affected by the laws the General Assembly enacts. Because children under 18 are not typically engaged in the political process, it can be difficult for legislators to learn about issues important to them. COYAC gives youth representatives a prime opportunity to educate legislators about issues that concern them. The composition of COYAC includes representation from each Senate district, thereby ensuring a range of voices that reflects Colorado’s diversity.

Analysis and Recommendation

COYAC provides a unique opportunity for young people to participate in the political process, and in keeping with its statutory mandate, COYAC helps legislators keep abreast of issues concerning youth. But COYAC offers other benefits: it promotes civic engagement and allows young people from diverse backgrounds to forge connections, understand different viewpoints, engage in productive discourse, and build consensus. These valuable life skills also serve to cultivate an engaged and knowledgeable citizenry.

For these reasons, the General Assembly should continue COYAC.

Consumer Insurance Council

Creation, Mission and Make-Up

The Consumer Insurance Council (CIC) was created in 2008 by Section 133(1) of Article 1, Title 10, Colorado Revised Statutes (C.R.S.), to advise the Colorado Commissioner of Insurance (Commissioner) concerning matters of interest to the public.

The statute directs that the CIC must have 15 members who speak for consumer organizations, different regions of Colorado, and who come from each of the state's Congressional districts. The members are appointed to two-year terms by the Commissioner and may not serve more than three terms consecutively. Statute dictates that the CIC must act through consensus.²¹

Insurance producers, insurance industry representatives, and actively practicing healthcare providers are not eligible for membership on the CIC.²²

The CIC membership represents a wide spectrum of interests including service organizations, policy organizations and consumer volunteers. As of July 2017, the CIC included members that represented:

- Colorado Consumer Health Initiative;
- CSU Extension of Larimer County and Colorado AARP;
- League of Women Voters and Colorado AARP;
- Rocky Mountain Performance;
- Colorado Roofing Association;
- Grand County Rural Health Network;
- Montezuma County League of Women Voters;
- Tu Casa, Inc.;
- Valle del Sol Community Center;
- Conejos County Sheriff's Department; and
- Health Coverage Guides of City and County of Broomfield.

Responsibilities of the CIC

The CIC is required to elect a chairperson and vice-chairperson from its membership. The officers serve a one-year term and may be elected to another.²³

²¹ § 10-1-133(2), C.R.S.

²² *Ibid.*

²³ § 10-1-133(5), C.R.S.

Aside from advising the Commissioner as consumer representatives, the CIC may issue an annual consumers' choice award. The award may go to a health insurance carrier that has achieved the lowest rates, highest benefits ratio, and lowest complaint ratio for each line of insurance.²⁴

When deciding on an award recipient, the CIC may also consider other benchmarks such as consumer education, collaboration with the community being served, healthcare transparency and innovation, consumer choice among healthcare plans, and other consumer-related alternatives.²⁵

Revenues and Expenditures

The CIC members serve without compensation but those who live outside of the Denver metropolitan area may be reimbursed for mileage.²⁶ If the CIC meets outside of the Denver metropolitan area, members may be reimbursed for mileage.²⁷ These expenditures amounted to \$1,559 for fiscal year 15-16 and \$1,048 for fiscal year 16-17.

Meetings of the CIC

All meetings of the CIC are open to the public and it cannot meet more than eight times per year. Any member may request topics for discussion²⁸ and any member may request a special meeting. Those requests must be made to the chairperson.²⁹

Meetings are held at the Division of Insurance (DOI) offices. However, the CIC may meet in other locations as agreed and members may participate telephonically.³⁰

Table 3 lists the meetings of the CIC during the period examined for this sunset review.

²⁴ § 10-1-133(5.5), C.R.S.

²⁵ *Ibid.*

²⁶ § 10-1-133(2), C.R.S.

²⁷ § 10-1-133(3), C.R.S.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

**Table 3
Meetings of the CIC
Fiscal Years 15-16 and 16-17**

Date	Members Attending
July 1, 2015	8
September 16, 2015	5
October 28, 2015	8
January 13, 2016	6
February 17, 2016	5
March 30, 2016	6
May 4, 2016	4
June 15, 2016	7
September 14, 2016	7
October 26, 2016	7
December 7, 2016	8
January 11, 2017	7
February 15, 2017	6
March 22, 2017	6
April 26, 2017	4
May 17, 2017	6

Table 3 indicates that the CIC met 16 times, or eight times per year, during fiscal years 15-16 and 16-17. Member attendance averaged approximately six members. This low attendance is due in part to the fact that there has never been a full roster of the possible 15 appointed members.

Proposals and Accomplishments

Early in its history, the CIC did produce accomplishments regarding insurance forms and disclosures. Members helped propel DOI initiatives through the legislature with testimony. Still, despite the wide spectrum of opinions on the CIC, the DOI could not point to any specific proposals or accomplishments made by the CIC during the last two years. Two years is typically the time frame examined for a sunset review of an advisory committee.

DOI staff explained that information typically flows in one direction—from the DOI to the CIC and not from the CIC to the Commissioner. While the CIC members freely offer opinions on a topic under discussion, it has not made any specific formal proposals to the Commissioner. Accordingly there is no record of either proposals or accomplishments.

The one specific task enumerated in statute is allowing the CIC to issue an annual consumers' choice award. The award has never been presented.

Reasons to Sunset the CIC

The CIC has not met its statutory obligation of advising the Commissioner regarding the public interest. While a segment of each meeting is set aside to determine future meeting discussion items, DOI staff determined that a minority of the CIC meeting discussion items come from the membership.

Based on a review of meetings, DOI staff determined that rather than advising on consumer/constituent-related issues concerning insurance regulatory approaches and implementation, which are the primary charges of the Commissioner, the CIC mainly concerns itself with legislative issues.

In addition to not advising the Commissioner, the CIC has never issued the consumers' choice award. This is a task explicitly noted and enabled in statute.

Analysis and Recommendation

The CIC has not presented any formal recommendations to the Commissioner or awarded the annual consumers' choice award. It has, therefore, not fulfilled its statutory mandates. Further, this lack of activity does not appear to have hampered the Commissioner's ability to regulate the insurance industry. Consequently, the General Assembly should sunset the CIC.

Food Systems Advisory Council

Creation, Mission and Make-Up

The General Assembly created the Colorado Food Systems Advisory Council (Food Council) in 2010 when it passed Senate Bill 106. The mission of the Food Council, which is housed within the Colorado Department of Agriculture, is to foster a healthy food supply, enhance the state's agricultural and natural resources, encourage economic growth, expand the viability of agriculture, and improve the health of Colorado communities and residents by making recommendations to state agencies and the General Assembly.³¹

The Food Council consists of 15 members, including:³²

- The executive director, or his or her designee, of each of the following state departments:
 - Public Health and Environment;
 - Agriculture;
 - Human Services; and
 - Education.
- 11 Governor-appointed members, including:
 - Two members who represent nutrition and health;
 - Three members who represent agricultural production, at least one of whom represents a large producer and one a small producer;
 - One member who represents small food wholesalers or food retailers and one member who represents large food wholesalers or food retailers, of which one of the two members may represent both small and large food wholesalers or food retailers;
 - One member who represents anti-hunger and food assistance programs;
 - One member who is knowledgeable about a local, state, or federal agency and who has expertise in rural community and regional development programs or community and economic development programs;
 - One member from an academic institution who specializes in economic systems, agriculture, or health-care; and
 - The director of the Colorado State University Extension Services program or his or her designee.

In making appointments to the Food Council, the Governor must assure that all geographic areas of the state are represented and that no more than five Governor-appointed members belong to the same political party.³³

³¹ § 24-37.3-102(1), C.R.S.

³² § 24-37.3-102(2), C.R.S.

³³ § 24-37.3-102(3), C.R.S.

The Food Council must meet at least four times each calendar year.³⁴ It may create subcommittees as needed to carry out its work.³⁵

The Food Council is authorized to seek gifts, grants, and donations to fund its efforts. All gifts, grants and donations must be credited to the Food Systems Advisory Council Fund and can be used to cover members' actual expenses, staffing costs, and costs incurred in preparing the annual report.³⁶

Responsibilities of the Food Council

The Food Council has numerous responsibilities, including:³⁷

- Identifying and using existing studies of the food system and examples of best practices, whenever possible;
- Collaborating with other task forces, committees, or organizations that are pursuing initiatives or studies similar to the Food Council's;
- Developing recommendations that promote the building of robust, resilient, and long-term local food economies;
- Developing recommendations regarding hunger and food access;
- Collaborating with, serving as a resource to, and receiving input from local and regional food policy councils in the state;
- Collaborating with the Department of Agriculture in promoting the marketing program known as "Colorado Proud", which helps consumers, restaurants, and retailers to identify and purchase Colorado food and agricultural products; and
- Recommending actions that state and local governments, businesses, agriculturists, and consumers can take to build robust, resilient, and long-term local food economies.

In developing its recommendations, the Food Council must:³⁸

- Examine ways to improve the nutritional quality of foods available to children, including those in the public schools, and increase children's access to locally grown foods;
- Study efforts to make local, healthy, and safe foods available under public assistance programs, including the possibility of using electronic benefit cards for the Supplemental Nutrition Assistance Program (SNAP) and Federal Farmers' Market Nutrition Program (FMNP) coupons at local farmers' markets;
- Examine local and regional efforts to strengthen and develop robust, resilient, and long-term local food economies by:
 - Supporting and promoting urban, suburban, and rural agricultural production;
 - Identifying and developing solutions to regulatory and policy barriers, and

³⁴ § 24-37.3-102(9), C.R.S.

³⁵ § 24-37.3-104(1), C.R.S.

³⁶ §§ 24-37.3-105(1) and 105(2), C.R.S.

³⁷ § 24-37.3-103(1), C.R.S.

³⁸ § 24-37.3-103(2), C.R.S.

- Strengthening local infrastructure and entrepreneurial efforts;
- Consider the potential impacts that the production of local, healthy, and safe foods would have on economic development in Colorado, including both the direct impacts for the producers of local food and the actual and potential indirect impacts, such as encouraging restaurants to feature locally raised agricultural products and promoting food and wine tourism; and
- Any other issues the Food Council, by consensus, considers pertinent.

Revenues and Expenditures

During the sunset review period, the Food Council did not seek any gifts, grants or donations. Consequently, the Food Council has had no revenues or expenditures.

One staff person provides administrative support to the Food Council: Colorado State University (CSU) covers this person’s salary, benefits, and travel expenses.

LiveWell Colorado provides in-kind website support to the Food Council.

Meetings of the Food Council

Table 4 illustrates the dates the Food Council met in fiscal years 15-16 and 16-17 and the number of members in attendance at each meeting.

**Table 4
Meetings of the Food Council**

Meeting Date	Members in Attendance
September 28, 2015*	Not available
December 15, 2015	8
March 24, 2016	11
June 28, 2016	12
October 19, 2016	11
December 13, 2016	12
March 9, 2017	12
June 27, 2017	11

*Joint meeting with the CSU One Health Initiative.

Excluding the September 28, 2015, meeting, for which attendance information is not available, an average of 11 members attended each meeting.

In March 2016, the Food Council initiated a statewide, comprehensive effort to develop a blueprint of the food and agricultural sector’s key assets and identify emerging issues and priorities. To engage the community with this effort, the Food Council conducted a total of 14 town hall meetings across the state in 2017.

Proposals and Their Status

Since the last sunset review, the Food Council has written six issue briefs highlighting the following topics:

Advancing food system issues in Colorado: Enhancing direct market technical assistance

- This brief supported CSU's decision to expand extension programming and support staff in this topic area.

Advancing food system issues in Colorado: Increasing SNAP at farmers' markets

- Led to increased staff support at the Department of Human Services for authorizing farmers' markets as SNAP retailers.
- Initiated a new SNAP retailer application for farmers' markets.
- Led to a \$70,000 grant between the Colorado Department of Human Services, Cooking Matters-Colorado and the Colorado Farmers' Market Association to expand SNAP at farmers' markets and provide technical assistance.
- Recommended pursuing public-private SNAP incentive programs, which led to a successful \$500,000 LiveWell Colorado 2015 application for a U.S. Department of Agriculture (USDA) Food Insecurity Nutrition Incentive Program grant.

Other recommendations within the brief could not be implemented due to lack of permanent, committed staff at the Department of Agriculture and the Department of Human Services.

Preparing for food security in an age of limited natural resources part 1: Water

- Focused on approving the use of recycled water treated through municipal waste water treatment plants for food production.
- Supported ongoing work by Denver Urban Gardens and Denver Water to pilot reclaimed water usage in urban agricultural settings through amending Regulation 84, which governs reclaimed water control.
- Brought statewide attention to water issues by convening statewide partners.
- Led to the Department of Public Health and Environment (CDPHE) initiating a stakeholder engagement process to increase awareness of reclaimed and recycled water issues. CDPHE will issue a final rule in August 2018.

Preparing for food security in an age of limited natural resources part 2: Land use

- Led to the commission of more extensive academic study of national incentives for land use for food production.
- Informed the work plan of the Colorado Food Policy Network's Land Access work group, which actively meets throughout the year.
- Led to the National Young Farmers Coalition developing a Colorado-specific policy brief with recommendations for state legislative action.

Preparing for food security in an age of limited natural resources part 3: Energy

- Raised awareness of a variety of issues that had been advanced at the state level:
 - The Colorado Energy Office integrated greenhouse audits and renewable energy analyses into its agricultural energy program.
 - There continued to be federal research dollars available for research into the food-energy-water nexus, particularly through a USDA program called Innovations at the Nexus of Food, Energy and Water Systems.
 - CSU completed the Solar Wind Assessment for Pivots (SWAP) program and received funding to conduct Feedlot Assessments for Solar Energy.
- A farmer in northeastern Colorado installed a small solar array to offset his energy used for pumping water with his center pivot system, which was a result of the SWAP project.
- A number of dairies and irrigators implemented energy saving measures.

Barriers and opportunities for healthy food recovery from grocery retail to hunger relief organizations

- Informed the work plan of the Colorado Food Policy Network's Healthy Community Food Assistance work group, which is now conducting a state and national scan of potential incentives for the sale and donation of fresh, healthy foods from farms and retailers to community food assistance.

The Food Council used the issue briefs to raise awareness of the selected topics among state agencies, legislators, and the general public. The Food Council presented briefs statewide at conferences, including the Governor's Agricultural Forum, the Colorado Farmers' Market Association, and the Colorado Extension Advisory Council; at statewide webinars; and at partner organization meetings.

Reasons for Continuation of the Food Council

The Food Council has a broad mandate. Its responsibilities include identifying best practices within the food system; providing guidance to state and local governments, businesses, agriculturists, and consumers on how to build thriving food economies; promoting agricultural production; and identifying regulatory barriers and making recommendations on how to mitigate them. These are not finite, one-time objectives: rather, they are ongoing.

The food supply chain is comprised of a wide array of local, regional, state, and federal programs; public health agencies; agriculturally oriented non-profits, farmers, consumers, and others. The Food Council allows for robust collaboration among these diverse, interdisciplinary stakeholders. Throughout its seven-year existence, the Food Council has strengthened links among government agencies and promoted partnerships among food and agriculture stakeholders. Its efforts have had tangible results: non-profits have secured grant funding, state agencies have revised rules, and farmers have changed their practices as a result of the Food Council's efforts.

Analysis and Recommendation

The Food Council is uniquely poised to coordinate among diverse stakeholders; identify system-wide issues; connect communities with grants and other philanthropic resources; increase access to healthy, locally grown foods; and discover and promote opportunities for agriculture-based economic development. There is still considerable work for the Food Council to do, particularly in the ongoing development of the blueprint of Colorado's food and agriculture sectors.

Members of the Food Council serve without compensation, and CSU underwrites the cost of staff administrative support. Though a lack of resources prevents the Food Council from providing ongoing material support for the issues identified in its issue briefs, the Food Council provides a wealth of subject matter expertise and policy guidance at no cost.

Therefore, the General Assembly should continue the Food Council.

Stroke Advisory Board

Creation, Mission and Make-Up

The General Assembly created the Stroke Advisory Board (Board) in 2013 when it passed Senate Bill 225. The purpose of the Board is to evaluate potential strategies for stroke prevention and treatment and develop a statewide needs assessment identifying relevant resources.³⁹ The Board is housed within the Colorado Department of Public Health and Environment (CDPHE).

The Board is comprised of 18 Governor-appointed members:⁴⁰

- Six physicians actively involved in stroke care, including:
 - One board-certified in primary care;
 - One board-certified in vascular neurology;
 - One privileged in and actively practicing interventional neuroradiology;
 - One board-certified in neurosurgery;
 - One representing a statewide chapter of emergency physicians; and
 - One board-certified neurologist serving patients in a rural area of the state;
- One representative of a statewide association of physicians;
- One representative of a statewide hospital association;
- One emergency medical service provider;
- One registered nurse involved in stroke care;
- One hospital administrator from a rural hospital;
- One hospital administrator from an urban hospital;
- One representative from a stroke rehabilitation facility;
- One Colorado resident representing a national association the goal of which is to eliminate cardiovascular disease and stroke;
- One Colorado resident representing a national stroke association;
- One physical or occupational therapist actively involved in stroke care;
- One member of the public who has suffered a stroke or is the caregiver of a person who has suffered a stroke; and
- One expert in stroke database management.

The Executive Director of CDPHE, or his or her designee, serves as an ex officio member.⁴¹

Members serve without compensation and are not entitled to reimbursement of any expenses they incur in the performance of their duties.⁴²

Since its creation, the Board generally has had one to three vacancies at any given time.

³⁹ § 25-3-115(1)(a), C.R.S.

⁴⁰ § 25-3-115(1)(a), C.R.S.

⁴¹ § 25-3-115(1)(b), C.R.S.

⁴² § 25-3-115(1)(c), C.R.S.

Responsibilities of the Board

The Board's core responsibility is to develop a statewide plan to improve quality of care for stroke patients. In conducting the study, the Board must consider:⁴³

- Creation of a state database or registry consisting of data on stroke care that mirrors the data hospitals submit to nationally recognized organizations;
- Providing access to aggregated stroke data (that excludes any identifying or confidential information about the reporting hospital or patients) from such database or registry, upon written request;
- Evaluating currently available stroke treatments and developing evidence-based recommendations for ways to improve stroke prevention and treatment;
- Establishing a plan that would encourage rural and urban hospitals to coordinate services for the necessary referral or receipt of patients requiring stroke care in the state; and
- The criteria used by nationally recognized bodies for designating a hospital in stroke care and whether a designation is needed to assure access to the best quality care for Colorado residents with stroke events.

Since its creation, the Board has submitted an annual report on its findings and recommendations to CDPHE, the Senate Health and Human Services Committee, and the House Health, Insurance, and Environment Committee, as required by law.⁴⁴

Revenues and Expenditures

Though the General Assembly appropriated \$36,699 per year in fiscal years 15-16 and 16-17 for CDPHE's work addressing stroke and ST-Elevation Myocardial Infarction (STEMI), the Board itself incurred no operating expenses.

Meetings of the Board

Generally, the Board meets monthly. Sometimes the Board meets as a whole; other times Board members break out into smaller workgroups that focus on particular topics.

Table 5 illustrates the dates the Board met in fiscal years 15-16 and 16-17 and the number of members in attendance at each meeting.

⁴³ § 25-3-115(2)(a), C.R.S.

⁴⁴ § 25-3-115(2)(b), C.R.S.

Table 5
Meetings of the Board and its Workgroups

Meeting Date	Members in Attendance
July 2015	12
August 2015*	9
September 2015	8
October 2015*	9
November 2015	9
January 2016	12
February 2016*	9
March 2016	13
April 2016*	8
May 2016	11
June 2016*	12
July 2016	11
August 2016*	7
September 2016	12
October 2016*	13
November 2016	10
January 2017	12
February 2017*	15
March 2017	15
April 2017*	12
May 2017	13
June 2017*	12

*Denotes workgroup meeting.

For the workgroup meetings, the attendance number reflects the total number of members who attended across all workgroups. On average, a total of 11 members attend each meeting.

Proposals and Their Status

Since its inception, the Board has developed a total of nine recommendations to the General Assembly. Those recommendations are described below.

Data

1. The Board recommended that CDPHE have access to pre-hospital, hospital and rehabilitation data for stroke patients. CDPHE would need resources to develop a repository to house sensitive information.
2. The Board recommended that CDPHE convene a council of stroke experts to recommend data measures to collect, review de-identified data and make recommendations to improve the system of care.

Stroke Prevention and Treatment

3. The Board recommended that hospitals and emergency medical services collaboratively develop a stroke process that includes a pre-hospital stroke assessment, a stroke severity assessment, and a pre-hospital notification process.
4. The Board recommended adoption of a rehabilitation scope of care, which includes a model and minimum standards for rehabilitation across the continuum of care.
5. The Board recommended minimum standards for the following:
 - Facilities that transfer and do not treat stroke patients,
 - Facilities that treat and admit or treat and transfer ischemic stroke patients,
 - Facilities that provide endovascular services,
 - Facilities that provide rehabilitation in the inpatient setting, and
 - Facilities that provide rehabilitation in the community setting.

Rural and Urban Hospital Coordination

6. The Board recommended statewide support to expand education through partnerships between stroke centers, rural facilities and emergency medical services agencies. The recommended education would include:
 - Seminars on stroke recognition and treatment,
 - National Institutes of Health Stroke Scale certification, and
 - Stroke assessment and stroke severity assessment for pre-hospital providers (e.g., emergency responders).
7. The Board recommended that hospitals provide feedback to pre-hospital providers for each stroke patient for quality improvement purposes.
8. The Board encouraged the use of expert consultation through telemedicine or other methods for stroke assessment and treatment.

Stroke Designation for Hospitals

9. The Board recommended a statewide system of support for stroke care but did not recommend state designation. The Board recommends a collaborative and voluntary system that includes the following components for statewide quality improvement:
 - CDPHE access to data;
 - A council of experts, convened by CDPHE, to recommend measures, review data and provide feedback; and
 - A quality improvement process that allows and encourages all hospitals to participate.

At this writing, none of these recommendations have been formally implemented or enacted into statute.

Reasons for Continuation of the Board

Stroke is a leading cause of death and disability in Colorado. CDPHE estimates that just 10 percent of patients suffering from a large vessel occlusion such as stroke are receiving appropriate treatment.

This low percentage demonstrates an ongoing need to address the systemic issues in how Colorado's healthcare delivery system responds to stroke. Areas of particular concern include increasing access to care and assuring the quality of acute and rehabilitative care for people who have suffered from a stroke. The Board—which includes physicians with diverse specialties, health-care providers who work with stroke patients, representatives of both urban and rural hospitals, a representative of patients and caregivers, and others—possesses the depth and breadth of expertise that would be critical to any effort to make systemic changes.

In 2017, the General Assembly passed Senate Joint Resolution 17-027 (SJR 027), which recognized the need to expand access to effective treatment for stroke patients. The resolution commended Colorado's medical community for its progress in embracing effective new treatments for stroke, but acknowledged that further improvements are needed. The Board could be instrumental in developing recommendations and building consensus for future policy changes.

Analysis and Recommendation

The Board is well positioned to provide guidance to policymakers in the continuing effort to improve stroke care in Colorado. The General Assembly recognized the treatment of strokes as an urgent priority when it passed SJR 027. Particular issues singled out in SJR 027 include the need to improve emergency medical response times for stroke patients and to augment the education addressing the assessment and triage of stroke patients that is provided to emergency medical responders. These issues align with some of the recommendations the Board has already made, and the Board could be instrumental in helping to implement such improvements.

Board members serve without compensation or reimbursement. The Board provides considerable expertise at no cost.

Therefore, the General Assembly should continue the Board.

Wildland-Urban Interface Training Advisory Board

Creation, Mission and Make-Up

The Wildland-Urban Interface Training Advisory Board (Advisory Board) was created by the General Assembly in 2008 to advise the Department of Public Safety's Division of Fire Prevention and Control (Division) on the topic of implementing a pilot program concerning wildland-urban interface issues. The Advisory Board's purpose is to advise the Division on the content of training courses and implementation of the training program.⁴⁵

Statute instructs the Director of the Division to appoint five members to the Advisory Board:⁴⁶

- One employee of the Colorado State Forest Service,
- One member of an association representing the county sheriffs of Colorado,
- One member of an association representing the fire chiefs of Colorado,
- One member of an association representing the special districts of Colorado, and
- One employee of the Division of Emergency Management.

Responsibilities of the Advisory Board

The Advisory Board is charged with advising the Division on how to achieve the goal of establishing a training system that addresses the issues observed in the periphery of the urban environment.

Revenues and Expenditures

The Division is required by statute to seek gifts, grants, and donations to fund the pilot program. No general fund moneys are to be expended for the implementation of the program.⁴⁷ Members of the Advisory Board serve without compensation or reimbursement of expenses.⁴⁸

Though no gifts, grants or donations were ever secured, the General Assembly appropriated funds for it in the Colorado Healthy Forests and Vibrant Communities Act of 2009 (HB09-1199).

⁴⁵ § 24-33.5-1212(3)(a), C.R.S.

⁴⁶ § 24-33.5-1212(3)(b), C.R.S.

⁴⁷ § 24-33.5-1212(5)(a), C.R.S.

⁴⁸ § 24-33.5-1212(3)(c), C.R.S.

Meetings of the Advisory Board

The Advisory Board was formed and met on June 3, 2010 to develop the curriculum and a strategy for delivering the training program.

Accomplishments and Proposals

The Advisory Board accomplished its statutory charge of advising the Division on the development of a training program and curriculum concerning wildland-urban interface issues in 2010.

Reasons to Sunset the Advisory Board

A program has been established and the Advisory Board has not met since 2010.

Analysis and Recommendation

The Advisory Board was created in statute to facilitate the establishment of a program within the Division regarding fire safety issues at the wildland-urban interface. It accomplished its statutory directive. The program exists and is ongoing, and the Advisory Board has not met since June 2010. Because the Advisory Board achieved its goal and there are no further statutory directives for it to consider, the General Assembly should sunset the Advisory Board. It must be noted that sunsetting the Advisory Board will not affect the underlying program.