Subject: HB22-1260 – Access to Medically Necessary Services For Students

To: Special Education Directors

The following information provides the summary of HB22-1260 and the process by which the data will be collected and submitted to CDE by AUs. The slide deck to the power point presentation from the September 2022 Directors’ Meeting has been posted on the [ESSU Fall Meeting 2022 webpage under the Session 202-S description](https://www.cde.state.co.us/cdesped/fdm#202-S).

**202-S: Overview of HB22-1260 - Access To Medically Necessary Services For Students**
Presented by: Melissa L. Barber, Caplan & Earnest LLC

**Summary:** HB22-1260

Access To Medically Necessary Services For Students

Concerning ensuring students have reasonable access to medically necessary services in schools.

SESSION:

2022 Regular Session

SUBJECT:

Education & School Finance (Pre & K-12)

BILL SUMMARY

No later than July 1, 2023, the act requires each administrative unit to adopt a policy that addresses how a student who has a prescription from a qualified health-care provider for medically necessary treatment receives such treatment in the school setting as required by applicable federal and state laws. The act requires the administrative unit to make the policy publicly available on the administrative unit's website and available to the student's parent or legal guardian upon request.

Beginning July 1, 2024, and each July thereafter, the act requires each administrative unit to compile and provide to the department of education (department) the total number of requests for access to a student by a private health-care specialist and whether the access was authorized or denied.

Beginning January 2025, and each January thereafter, the act requires the department to make the information reported available on the department's website and report the information to specified committees of the general assembly. <https://leg.colorado.gov/bills/hb22-1260>

**Data Collection:**

You will only need to report to CDE three data points: the number of requests, the number of requests authorized, and the number of requests denied. This will not require student level information. These counts will be collected in a new input screen (ready by July 2024) within the Data Pipeline under the IEP Interchange. A respondent will need the SPE User Role for access.

As required by HB22-1260, collecting and reporting data is the responsibility of the AU and may include students who do not have an IEP because all students must be included in the counts provided to CDE. AUs with multiple member districts will need to work with their member districts to establish a process to ensure compliance with the statute.

The 2023-2024 reporting year totals will be reported to CDE starting in July of 2024. These data fields will not be added to a file layout or snapshot but will be associated with the Sped EOY Snapshot timeline. However, please note that an AU will not be able to finalize their 23-24 snapshot until they have entered these counts in the Data Pipeline input screen. The counts will not be included in the Sped EOY snapshot records and will be housed in a separate data table.

For questions on the SPED EOY data collection, contact Lindsey Heitman, Data Services, Special Education Data Collections

ESSU Contact: Gloria Durosko, Supervisor, Data and Monitoring Liaison