

2007
SUNSET
REVIEW

Colorado Department of Regulatory Agencies
Office of Policy, Research and Regulatory Reform

- Air Quality Science Advisory Board
- Dynamic Modeling Advisory Committee
- Forest Restoration Pilot Program Technical Advisory Panel
- Health Care Credentials Application Review Committee



October 15, 2007

STATE OF COLORADO



Bill Ritter, Jr.
Governor

D. Rico Munn
Executive Director

DEPARTMENT OF REGULATORY AGENCIES
Office of Policy, Research and Regulatory Reform
Bruce Harrelson, Director

1560 Broadway, Suite 1550
Denver, CO 80202
Phone: (303) 894-7855
FAX: (303) 894-7885
www.dora.state.co.us/opr

October 15, 2007

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 mission of the Department of Regulatory Agencies (DORA) is consumer protection. As a part of the Executive Director's Office within DORA, the Office of Policy, Research and Regulatory Reform seeks to fulfill its statutorily mandated responsibility to conduct sunset reviews with a focus on protecting the health, safety and welfare of all Coloradans.

DORA has completed its evaluations of the Air Quality Science Advisory Board, the Dynamic Modeling Advisory Committee, the Forest Restoration Pilot Program Technical Advisory Panel, and the Health Care Credentials Application Review Committee. I am pleased to submit this written report, which will be the basis for my office's oral testimony before the 2008 legislative committees of reference. The report is submitted pursuant to section 2-3-1203(2)(b)(III), Colorado Revised Statutes, which states in part:

The department of regulatory agencies shall conduct an analysis of the performance of each division, board or agency or each function scheduled for termination under this section. The department of regulatory agencies shall submit a report to the office of legislative legal services by October 15 of the year preceding the date established for termination.

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,

D. Rico Munn
Executive Director



2007 Sunset Review

Air Quality Science Advisory Board Dynamic Modeling Advisory Committee

Department of Regulatory Agencies

Bill Ritter, Jr.
Governor

D. Rico Munn
Executive Director

Forest Restoration Pilot Program Technical Advisory Panel

Health Care Credentials Application Review Committee

Executive Summary

Key Recommendations

Sunset the Air Quality Science Advisory Board.

The purpose of the five-member Air Quality Science Advisory Board (Advisory Board) is to provide advisory opinions to the Air Quality Control Commission regarding requests for exemptions from various control technology requirements and issues pertaining to the Colorado Hazardous Air Pollutant Control and Reduction Program. However, the Advisory Board has not met since before 2000 and is no longer necessary. Therefore, the Advisory Board should be repealed.

Sunset the Dynamic Modeling Advisory Committee.

The purpose of the five-member Dynamic Modeling Advisory Committee (Advisory Committee) is to assist the Director of Research of the Legislative Council in selecting the appropriate dynamic model to analyze the economic impact of bills introduced in the General Assembly. However, the Advisory Committee was never convened and never met. Therefore, the Advisory Committee should be repealed.

Sunset the Forest Restoration Pilot Program Technical Advisory Panel.

The purpose of the eight-member Forest Restoration Pilot Program Technical Advisory Panel (Advisory Panel) is to evaluate the proposals for forest restoration demonstration grants received by the Director of the State Forest Service, and to make recommendations to the Director as to which proposals would best meet the objectives of the Colorado Forest Restoration Act (Forest Act). The Forest Act and the Advisory Panel were both parts of a pilot program that is now complete. Unless the Forest Act is extended, the Advisory Panel should also be repealed.

Continue the Health Care Credentials Application Review Committee.

The purpose of the eight-member Health Care Credentials Application Review Committee (Review Committee) was to develop and then revise, as necessary, a uniform application, the Colorado Healthcare Professional Credentials Application (Uniform Application), that is accepted by all insurance carriers for the purpose of determining the core credentials of health care professionals that participate in their respective plans. The Review Committee is composed of the health care professionals that must complete the Uniform Application and the health insurance carriers that must utilize the information communicated through the Uniform Application. The input of these groups is essential to refining a Uniform Application to ensure that it is useful, easy to complete and that it streamlines the credentialing process. Therefore, the Review Committee should be continued.

Where Do I Get the Full Report? The full sunset review can be found on the internet at:
<http://www.dora.state.co.us/opr/oprpublications.htm>

Major Contacts Made During These Reviews

Colorado Association of Health Plans
Colorado Department of Natural Resources
Colorado Department of Public Health and Environment
Legislative Council

What is a Sunset Review?

A sunset review is a periodic assessment of state boards, programs, and functions to determine whether or not 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
Office of Policy, Research and Regulatory Reform
1560 Broadway, Suite 1550, Denver, CO 80202
www.dora.state.co.us/opr

Table of Contents

Background	1
<i>The Sunset Process</i>	1
Air Quality Science Advisory Board	4
<i>Creation, Mission and Make-Up</i>	4
<i>Responsibilities of the Board</i>	4
<i>Revenues and Expenditures</i>	4
<i>Meetings of the Board</i>	5
<i>Proposals and Their Status</i>	5
<i>Reasons for Continuation of the Board</i>	5
<i>Analysis and Recommendation</i>	5
Dynamic Modeling Advisory Committee	6
<i>Creation, Mission and Make-Up</i>	6
<i>Responsibilities of the Committee</i>	6
<i>Revenues and Expenditures</i>	6
<i>Meetings of the Committee</i>	7
<i>Proposals and Their Status</i>	7
<i>Reasons for Continuation of the Committee</i>	7
<i>Analysis and Recommendation</i>	7
Forest Restoration Pilot Program Technical Advisory Panel	8
<i>Creation, Mission and Make-Up</i>	8
<i>Responsibilities of the Panel</i>	9
<i>Revenues and Expenditures</i>	10
<i>Meetings of the Panel</i>	10
<i>Proposals and Their Status</i>	10
<i>Reasons for Continuation of the Panel</i>	11
<i>Analysis and Recommendation</i>	11

Health Care Credentials Application Review Committee.....	12
<i>Creation, Mission and Make-Up.....</i>	<i>12</i>
<i>Responsibilities of the Committee.....</i>	<i>13</i>
<i>Revenues and Expenditures.....</i>	<i>13</i>
<i>Meetings of the Committee.....</i>	<i>13</i>
<i>Proposals and Their Status.....</i>	<i>14</i>
<i>Reasons for Continuation of the Committee.....</i>	<i>14</i>
<i>Analysis and Recommendation.....</i>	<i>15</i>

Background

The Sunset Process

Regulation, when appropriate, can serve as a bulwark of consumer protection. Regulatory programs can be designed to impact individual professionals, businesses or both.

As regulatory programs relate to individual professionals, such programs typically entail the establishment of minimum standards for initial entry and continued participation in a given profession or occupation. This serves to protect the public from incompetent practitioners. Similarly, such programs provide a vehicle for limiting or removing from practice those practitioners deemed to have harmed the public.

From a practitioner perspective, regulation can lead to increased prestige and higher income. Accordingly, regulatory programs are often championed by those who will be the subject of regulation.

On the other hand, by erecting barriers to entry into a given profession or occupation, even when justified, regulation can serve to restrict the supply of practitioners. This not only limits consumer choice, but can also lead to an increase in the cost of services.

There are also several levels of regulation. Licensure is the most restrictive form of regulation, yet it provides the greatest level of public protection. Licensing programs typically involve the completion of a prescribed educational program (usually college level or higher) and the passage of an examination that is designed to measure a minimal level of competency. These types of programs usually entail title protection – only those individuals who are properly licensed may use a particular title(s) – and practice exclusivity – only those individuals who are properly licensed may engage in the particular practice. While these requirements can be viewed as barriers to entry, they also afford the highest level of consumer protection in that they ensure that only those who are deemed competent may practice and the public is alerted to those who may practice by the title(s) used.

Certification programs offer a level of consumer protection similar to licensing programs, but the barriers to entry are generally lower. The required educational program may be more vocational in nature, but the required examination should still measure a minimal level of competency. Additionally, certification programs typically involve a non-governmental entity that establishes the training requirements and owns and administers the examination. State certification is made conditional upon the individual practitioner obtaining and maintaining the relevant private credential. These types of programs also usually entail title protection and practice exclusivity.

While the aforementioned requirements can still be viewed as barriers to entry, they afford a level of consumer protection that is lower than a licensing program. They ensure that only those who are deemed competent may practice and the public is alerted to those who may practice by the title(s) used.

Registration programs can serve to protect the public with minimal barriers to entry. A typical registration program involves an individual satisfying certain prescribed requirements – typically non-practice related items, such as insurance or the use of a disclosure form – and the state, in turn, placing that individual on the pertinent registry. These types of programs can entail title protection and practice exclusivity. Since the barriers to entry in registration programs are relatively low, registration programs are generally best suited to those professions and occupations where the risk of public harm is relatively low, but nevertheless present. In short, registration programs serve to notify the state of which individuals are engaging in the relevant practice and to notify the public of those who may practice by the title(s) used.

Finally, title protection programs represent one of the lowest levels of regulation. Only those who satisfy certain prescribed requirements may use the relevant prescribed title(s). Practitioners need not register or otherwise notify the state that they are engaging in the relevant practice, and practice exclusivity does not attach. In other words, anyone may engage in the particular practice, but only those who satisfy the prescribed requirements may use the enumerated title(s). This serves to indirectly ensure a minimal level of competency – depending upon the prescribed preconditions for use of the protected title(s) – and the public is alerted to the qualifications of those who may use the particular title(s).

Licensing, certification and registration programs also typically involve some kind of mechanism for removing individuals from practice when such individuals engage in enumerated proscribed activities. This is generally not the case with title protection programs.

As regulatory programs relate to businesses, they can enhance public protection, promote stability and preserve profitability. But they can also reduce competition and place administrative burdens on the regulated businesses.

Regulatory programs that address businesses can involve certain capital, bookkeeping and other recordkeeping requirements that are meant to ensure financial solvency and responsibility, as well as accountability. Initially, these requirements may serve as barriers to entry, thereby limiting competition. On an ongoing basis, the cost of complying with these requirements may lead to greater administrative costs for the regulated entity, which costs are ultimately passed on to consumers.

Many programs that regulate businesses involve examinations and audits of finances and other records, which are intended to ensure that the relevant businesses continue to comply with these initial requirements. Although intended to enhance public protection, these measures, too, involve costs of compliance.

Similarly, many regulated businesses may be subject to physical inspections to ensure compliance with health and safety standards.

Regulation, then, has many positive and potentially negative consequences.

The Air Quality Science Advisory Board, the Dynamic Modeling Advisory Committee, the Forest Restoration Pilot Program Technical Advisory Panel and the Health Care Credentials Application Review Committee shall terminate on July 1, 2008, unless continued by the General Assembly. It is the duty of the Department of Regulatory Agencies (DORA) to conduct an analysis and evaluation of these advisory committees pursuant to section 2-3-1203, Colorado Revised Statutes.

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

As part of the sunset review process, an advisory committee that is scheduled to repeal must submit to DORA, 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.

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

Air Quality Science Advisory Board

Creation, Mission and Make-Up

The Air Quality Science Advisory Board (Advisory Board) was created by the General Assembly in Senate Bill 92-105, as part of Colorado's implementation of the federal Clean Air Act Amendments of 1990.

The Advisory Board consists of five members,² at least two of whom must be medical doctors,³ and all of whom are appointed by the Governor with the advice and consent of the Colorado Senate.⁴ The appointments are to include people with appropriate scientific, medical and technical expertise, including recognized expertise in chemical engineering, respiratory medicine, environmental health, internal medicine, toxicology and environmental pathology.⁵ Advisory Board appointments are for three years.⁶

Responsibilities of the Board

The Advisory Board exists to:⁷

- Perform assessments which are associated with and necessary for issuing advisory opinions to the Colorado Air Quality Control Commission (Commission) regarding requests for exemptions from generally available control technology and maximum achievable control technology requirements; and
- Offer other advisory opinions to the Commission under the Colorado Hazardous Air Pollutant Control and Reduction Program.

Revenues and Expenditures

The Advisory Board has not met since before 2000. As a result, the Advisory Board has generated no revenues and has had no expenditures in the last fiscal year.

² § 25-7-109.4(1), C.R.S.

³ § 25-7-109.4(2)(a), C.R.S.

⁴ § 25-7-109.4(1), C.R.S.

⁵ § 25-7-109.4(2)(a), C.R.S.

⁶ § 25-7-109.4(3), C.R.S.

⁷ § 25-7-109.4(8), C.R.S.

Meetings of the Board

The Advisory Board has not met since before 2000.

Proposals and Their Status

The Advisory Board has not met since before 2000. As a result, there are no recent proposals to report.

Reasons for Continuation of the Board

The Advisory Board is no longer necessary and should not be continued.

Analysis and Recommendation

The Advisory Board has not met since before 2000. Staff at the Colorado Department of Public Health and Environment acknowledges that the Advisory Board is no longer necessary.

Therefore, the Advisory Board should be repealed.

Dynamic Modeling Advisory Committee

Creation, Mission and Make-Up

The General Assembly created the Dynamic Modeling Advisory Committee (Advisory Committee) in House Bill 05-1046, as part of a dynamic modeling pilot program. In enacting this pilot program, the General Assembly sought to analyze the economic impact of the tax policy bills it considers.⁸

The Advisory Committee, which is appointed by the Director of Research of the Legislative Council (Director), consists of five individuals, at least one of whom must come from the business community, one from the academic community and one who is an economic developer.⁹

Alternatively, the Director may elect to rely on an existing board or committee from a private, nonprofit or academic organization to assist in selecting the appropriate dynamic model.¹⁰

Responsibilities of the Committee

The role of the Advisory Committee is to assist the Director in selecting the appropriate dynamic model to analyze the economic impact of bills introduced in the General Assembly.¹¹ Specifically, the General Assembly sought for the Director to identify a model that would consider the direct and indirect economic effects of tax policy changes, including estimates as to the probable behavioral responses of taxpayers, businesses and others.¹²

Revenues and Expenditures

Members of the Advisory Committee serve without compensation.¹³ Additionally, since the Advisory Committee was never convened, there have been no costs associated with the Advisory Committee.

⁸ §§ 2-3-304.5(1) and (2), C.R.S.

⁹ § 2-3-304.5(3)(a), C.R.S.

¹⁰ § 2-3-304.5(3)(c), C.R.S.

¹¹ § 2-3-304.5(3)(a), C.R.S.

¹² § 2-3-304.5(2), C.R.S.

¹³ § 2-3-304.5(3)(b), C.R.S.

Meetings of the Committee

The Advisory Committee is to meet as often as necessary, but not less than twice a year.¹⁴

However, the Advisory Committee was never convened, so it never met.

Proposals and Their Status

Since the Advisory Committee was never convened and never met, it generated no proposals or recommendations to the Director.

Reasons for Continuation of the Committee

Since the Advisory Committee was never convened and never met, the Advisory Committee should be repealed.

Analysis and Recommendation

Since the Advisory Committee was never convened and never met, the Advisory Committee should be repealed.

¹⁴ § 2-3-304.5(3)(b), C.R.S.

Forest Restoration Pilot Program Technical Advisory Panel

Creation, Mission and Make-Up

The General Assembly created the Forest Restoration Pilot Program Technical Advisory Panel (Advisory Panel), through House Bill 07-1130, as part of the Colorado Forest Restoration Act (Forest Act).

In enacting the Forest Act, the General Assembly created a program whereby the Colorado State Forest Service (Forest Service) solicited requests for proposals for cost-share grants to fund projects that are designed through a collaborative community process. Such projects may be entirely on, or on any combination of, private, federal, state, county or municipal forestlands.¹⁵

The Advisory Panel is appointed by the Director of the Forest Service (Director) and must consist of between 7 and 11 members representing the following interests:¹⁶

- One member to represent the Colorado Department of Natural Resources;
- At least one member to represent federal land management agencies;
- At least two members who are independent scientists with experience in forest ecosystem restoration; and
- Equal representation from:
 - Conservation interests;
 - Local communities; and
 - Commodity interests.

In fulfilling this mandate, the Director appointed representatives from the following entities to the Advisory Panel:¹⁷

- Colorado Department of Natural Resources;
- U.S. Bureau of Land Management;
- U.S. Forest Service;
- U.S. Forest Service Rocky Mountain Research Station;
- Colorado State University;
- The Wilderness Society;
- Town of Kremmling; and
- Colorado Timber Industry.

¹⁵ § 23-31-310(3), C.R.S.

¹⁶ § 23-31-310(5), C.R.S.

¹⁷ "Colorado State Forest Service Awards Grants," Colorado Department of Natural Resources Press Release, August 21, 2007.

Responsibilities of the Panel

The role of the Advisory Panel is to evaluate the proposals for forest restoration demonstration grants received by the Director and to make recommendations to the Director as to which proposals would best meet the objectives of the Forest Act.

To be eligible for the grants, each project must:¹⁸

- Be located in an area with an approved community wildfire protection plan;
- Address one or more of the following objectives for the purpose of protecting water supplies:
 - Reducing the threat of large, high-density wildfires and the negative effects of excessive competition between trees by restoring ecosystem functions, structures, and species composition, including the reduction of nonnative species;
 - Preserving old and large trees to the extent consistent with ecological values and science;
 - Replanting trees in deforested areas if such areas exist in the proposed project area; and
 - Improving the use of, or add value to, small diameter trees;
- Comply with all applicable federal and state environmental laws;
- Include a diverse and balanced group of stakeholders as well as appropriate federal, state, county, and municipal government representatives in the design, implementation, and monitoring of the project;
- Incorporate current scientific forest restoration information;
- Include an assessment to:
 - Identify both the existing ecological condition of the proposed project area and the desired future condition; and
 - Report, upon project completion, to the Forest Service on the positive or negative impact, including cost effectiveness of the project; and
- Leverage state funding through in-kind, stumpage, or cash matching contributions.

¹⁸ § 23-31-310(4), C.R.S.

Revenues and Expenditures

To enable the Forest Act, the General Assembly, through Senate Bill 07-122, appropriated \$1 million for the purpose of funding the grants to be awarded by the Advisory Panel. No other revenues were realized by the Advisory Panel.

The Department of Natural Resources (Department) spent \$167 on breakfast and lunch for the Advisory Panel and staff of the Forest Service and the Department. No *per diem* or travel expenses were paid to Advisory Panel members. No other expenditures were generated.

Meetings of the Panel

The Advisory Panel held one meeting, on August 10, 2007. All Advisory Panel members attended the meeting in person, except one member, who participated by telephone.

Proposals and Their Status

In its less than one full year of existence, the Advisory Panel recommended, and the Director awarded, more than \$1 million in grants to 12 projects around the state. Table 1 provides the location, grant amount and name of each of these projects.

**Table 1
Projects Approved for Funding by the Advisory Panel**

Project Name	County	Grant Amount
Dalla Park Fire Mitigation	LaPlata	\$24,800
Leadville Forest and Community Protection Plan	Lake	\$69,000
Grand Junction Watershed Protection and Fuel Reduction Program	Mesa	\$140,000
Grand Lake Beetle Kill Removal Project	Grand	\$140,000
Heil Valley Ranch 2008 Fuels Reduction – Unit 2	Boulder	\$50,000
Horsetooth Mountain Fuels Reduction	Larimer	\$80,000
Platte Canyon Fire/Forest Restoration and Water Protection Project	Park	\$70,000
Santa Fe Trails Ranch Fuel Break Project	Las Animas	\$125,000
Straight Creek Forest Restoration Project	Summit	\$36,000
Summit County Hazardous Fuels Reduction Project	Summit	\$140,000
Upper South Platte Watershed Forest Health Initiative	Park Teller	\$80,000
West Vail and Lower Gore Creek Fuel Reduction Project	Eagle	\$50,000
Total		\$1,004,800

Although the General Assembly appropriated \$1 million in grant money for implementation of the Forest Act,¹⁹ the Forest Service contributed \$4,800 as well, resulting in a total of \$1,004,800 in grants being awarded.

Reasons for Continuation of the Panel

If the General Assembly appropriates additional funds to support grants similar to those already awarded by recommendation of the Advisory Panel, then the Advisory Panel's continuation may be justified. However, the Forest Act and the pilot program it created are scheduled to repeal by operation of law on July 1, 2008.

Analysis and Recommendation

The Forest Act and the Advisory Panel were both parts of a pilot program that is now complete. In fact, the Forest Act itself is scheduled to repeal by operation of law on July 1, 2008. Unless the Forest Act is extended, the Advisory Panel should also be repealed.

¹⁹ Senate Bill 07-122, § 20.

Health Care Credentials Application Review Committee

Creation, Mission and Make-Up

The General Assembly created the Health Care Credentials Application Review Committee (Review Committee) in 2004, as part of the Health Care Credentials Uniform Application Act (Act), to streamline the process whereby insurance carriers seek and approve the credentials of the health care professionals with whom they contract to provide services. Specifically, the purpose of House Bill 04-1354 (HB 1354) was:

to make credentialing more efficient, less costly, and less duplicative by making it uniform through the use of a single application for the collection of core credentials data . . .²⁰

Prior to HB 1354, each individual insurance carrier utilized its own application form for health care professionals to determine the core credentials of such professionals. As a result, health care professionals that participated in various insurance plans had to complete a separate form for each insurance carrier.

For purposes of the Act, health care professionals include physicians, dentists, dental hygienists, chiropractors, podiatrists, psychologists, advanced practice nurses, optometrists, physician assistants, licensed clinical social workers, child health associates, marriage and family therapists and other health care professionals who are regulated pursuant to Title 12, Colorado Revised Statutes (C.R.S.).²¹

The sole task of the Review Committee was to develop a uniform application, the Colorado Healthcare Professional Credentials Application (Uniform Application), that would be accepted by all insurance carriers. The draft Uniform Application developed by the Review Committee was submitted to the State Board of Health for approval and subsequent use in Colorado.

The Review Committee consists of eight members who are appointed by the State Board of Health to serve terms of four years.²²

- One member representing a statewide association or society of physicians;
- One member representing a statewide association or society of Colorado hospitals;
- One member representing a statewide association or society of health plans;

²⁰ § 25-1-108.7(2), C.R.S.

²¹ § 25-1-108.7(3)(f), C.R.S.

²² § 25-1-108.7(6)(a), C.R.S.

-
- One member representing a professional liability insurance carrier domiciled in Colorado;
 - One member representing a statewide association or society of Colorado health care medical staff service specialists;
 - One advanced practice nurse; and
 - Two members at large.

Responsibilities of the Committee

The Review Committee is responsible for developing and updating the Uniform Application, which must be adopted by the State Board of Health to be effective.

Revenues and Expenditures

All members serve without compensation or expense reimbursements. All administrative expenses have been furnished by COPIC, an insurance carrier specializing in malpractice coverage for health care professionals.

Meetings of the Committee

The Review Committee must meet at least annually. It met eight times in 2004. It did not meet in 2005 because, according to Colorado Department of Public Health and Environment (CDPHE) staff, the application developed by the Review Committee in 2004 was adopted by the Board of Health in April 2005, with an effective date of December 31, 2005, so the Review Committee had no business to address in 2005.

The Review Committee met one time in 2006, at which time it proposed revisions to the application.

As of this writing, the Review Committee is scheduled to next meet in November 2007.

Table 2 depicts the exact dates that the Review Committee has met over the last three years, and it includes attendance of Review Committee members at each meeting.

Table 2
Review Committee Meeting Dates and Attendance

Date	Members Attending
July 26, 2004	8
August 9, 2004	8
August 11, 2004	8
August 25, 2004	8
September 8, 2004	8
September 29, 2004	8
October 13, 2004	8
November 2, 2004	8
August 9, 2006	7

Proposals and Their Status

The Review Committee recommended an initial Uniform Application in late 2004. The State Board of Health adopted the Review Committee's recommendation, with minor modifications, on April 20, 2005. Mandatory use of the Uniform Application began on December 31, 2005.

In late 2006, the Review Committee recommended modifications to the Uniform Application. The State Board of Health adopted the Review Committee's changes, with minor modifications, on March 21, 2007. Mandatory use of the revised Uniform Application began on July 30, 2007.

The current Uniform Application is 26 pages long and can be found online at <http://www.cdphe.state.co.us/op/bh/Credentialsapplication0307cleanwithcover.pdf>.

Reasons for Continuation of the Committee

The Review Committee gave the following reasons why the Review Committee should be continued:

Section 25-1-108.7, C.R.S., requires the Review Committee to meet at least annually to review the application and make necessary modification recommendations.

Additionally, the Review Committee should be continued because it provides a valuable service to the credentialing and health care professional communities. The Review Committee, which is composed of representatives from all affected groups, makes recommendations regarding the uniform application based on the actual needs of the application's users. The State Board of Health relies upon the first-hand knowledge of the Review Committee members when considering changes to the application and would find it difficult to gather all the necessary information without the Review Committee's work.

Analysis and Recommendation

Whether the Uniform Application is desirable is an issue that lies beyond the scope of this sunset review. Rather, the focus of this sunset review is the Review Committee itself and whether its continuation is necessary.

Although the staff of CDPHE, the State Board of Health itself, or both, could likely perform the functions of the Review Committee as well as the Review Committee, given proper input, these two organs of state could likely not perform such functions in a manner that is more cost effective.

The Review Committee is staffed by private industry. As a result, the only time the state incurs any expenses with respect to the Review Committee is when the State Board of Health engages in rulemaking proceedings. These are costs that would be incurred regardless of whether CDPHE staff, the State Board of Health or the Review Committee develops the Uniform Application.

Additionally, the Review Committee is composed of the health care professionals that must complete the Uniform Application and health insurance carriers and others that must utilize the information communicated through the Uniform Application. The input of these groups is essential to refining a Uniform Application that is useful, easy to complete and that streamlines the credentialing process.

Therefore, the Review Committee should be continued.