

# ***OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS ANNUAL REPORT 2002-2003***



## **UNIVERSITY OF COLORADO SYSTEM** *Boulder • Colorado Springs • Denver • Health Sciences Center*

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## STATE AND FEDERAL GOVERNMENT RELATIONS OVERVIEW

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### **MISSION**

The mission of the Office of State and Federal Government Relations is to support the University of Colorado's (CU) efforts in achieving President Elizabeth Hoffman's Vision 2010 by building effective partnerships between the University and state and federal governments. This will be achieved through representation and advocacy of CU's needs and interests with state and federal elected officials in Colorado and Washington, D.C.

### **THE OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS WOULD LIKE TO THANK...**

...the University of Colorado Board of Regents; President Hoffman and her team; Chancellors Richard Byyny, University of Colorado at Boulder (UCB), Georgia Lesh-Laurie, University of Colorado at Denver (UCD), Pamela Shockley, University of Colorado at Colorado Springs (UCCS), and Jim Shore, University of Colorado Health Sciences Center (UCHSC) and their leadership teams; and all our faculty and staff for their incredible help and expertise during a very challenging year. Because of the unusual nature of the state and federal year, YOUR contributions were more valued than ever!

Additionally, we would like to thank the Colorado congressional delegation, members of the Colorado General Assembly, and Governor Owens and his staff for their support.

### **STATE AND FEDERAL GOVERNMENT RELATIONS AND VISION 2010**

President Hoffman has made both state and federal government relations a priority during her administration. Because of lobbying efforts at the state and federal level, CU has become a significant player both in the policy arena and in obtaining state and federal dollars. On the state side, it is expected that both general and capital funds will be in short supply for the foreseeable future. However, the legislature has recently focused its efforts on updating the role and mission and revising the funding formula for Colorado's higher education institutions.

In times of state economic crisis more and more state institutions of higher education turn to the federal government for resources. While working to secure federal funding for research and special projects, CU will participate in discussion of important national higher education policy issues such as the Reauthorization of the Higher Education Act.

Aligned with her Vision 2010 goals, on June 1, 2002 President Hoffman merged the offices of State and Federal Government Relations. This union furthers the goals of a "University Without Walls," "Increasing Resources and Using Them Wisely" and a "Culture of Excellence" as outlined in CU 2010 by increasing representation across the four campuses, maximizing efficiency, and enhancing the quality of advocacy at both state and federal levels. National

trends indicate top ten public higher education research institutions are investing increased resources in state and federal government relations.

### **Goals**

- Promote the University's interests at the state and federal level.
- Enhance the understanding of the role and value of CU.
- Achieve status as one of the top governmental relations offices in comparison with our peers.

### **Strategies**

- 1) Increase role/visibility at both the state and federal level through testimony, tours, outreach events, Hill visits, and other activities to increase contact with state and federal policy makers.
- 2) "Friend building" by President, Chancellors and designated officers of the University with members of the General Assembly, Colorado congressional delegation, and Executive branch of both the state and federal government.
- 3) Engage the Business Community, Ambassadors, and Alumni to help lobby CU's initiatives.
- 4) Request for each campus to have federally funded special projects:
  - UCB - Center for Excellence in Micro and Nano Systems for Medical Applications
  - UCD - Center for Domestic Violence
  - UCCS - Network, Information, and Space Security Center
  - UCHSC - Fitzsimons campus
- 5) Continue to lobby for funding increases in order for CU to maintain its ranking in the top five public universities for federal research funding. The following agencies are the primary sources of funding for CU: National Science Foundation (NSF), National Institutes of Health (NIH), National Aeronautics and Space Administration (NASA), Department of Defense (DOD), Department of Energy (DOE), and Department of Commerce (DOC).
- 6) Continue education of elected officials through increased contact with faculty, students, and administrators from all four campuses.
  - Facilitate Dean's legislative breakfasts.
  - Host CU Smart Lunches for members of the Colorado General Assembly and their staff, ultimately giving each campus of the university system an opportunity to highlight a program and achieving direct exposure to the legislature.
- 7) Work to improve internal communication by
  - Holding weekly legislative strategy meetings with top officers of the University.
  - Providing legislative updates at all four campuses and via email to University community.
  - Coordinating university group tours and breakfasts at state capitol.
  - Communicating with appropriate University of Colorado faculty, administrators, and students regarding specific legislation and policy issues.



## STATE AND FEDERAL GOVERNMENT RELATIONS STATE RELATIONS

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### **2002-2003 STATE LEGISLATIVE PRIORITIES**

In the fall of 2002, President Hoffman established a legislative agenda for the 2003 State Legislative session which would help fulfill her Vision 2010 goals. The purpose of her agenda was to secure more financial and decision-making flexibility for the University of Colorado. After a session challenged by what many considered to be the state's worst budget year since the Great Depression, CU succeeded in fulfilling much of President's Hoffman's agenda.

**Certificates of Participation (COP's)** - Governor Bill Owens signed HB1256 at a special signing ceremony on April 28, 2003, at CU's Fitzsimons complex in Aurora. This landmark legislation will assist in the completion of the Health Sciences Center's academic facilities at the Fitzsimons campus by issuing lease purchase agreements for \$202 million to be repaid by the state over 25 years. The team that was assembled to lead COP's did a remarkable job in moving the legislation through the process during such a challenging year.

This historic bill allows CU to complete the Fitzsimons project by 2007, decades ahead of the original schedule – saving the state millions of dollars in construction inflation and reducing the cost of maintaining two campuses. Special thanks to the Colorado General Assembly and Governor Owens for their support of the COP legislation.

**Tuition/Quality for Colorado** - On June 10, 2003 Governor Owens signed off on a CCHE-approved recommendation to allow an increase in tuition and fees of up to 9 percent at CU's four campuses. The increase will help the University offset the large general fund decreases taken in recent years, ensuring that current levels of educational quality will be maintained.

Governor Owens also approved CU's Quality for Colorado tuition initiative, which will raise tuition at the Boulder campus an additional 5.5 percent for the purpose of increasing academic quality and aligning CU's tuition with its academic peers. It will allow CU to invest in quality education, increase scholarships for low-income students, recruit and retain the highest quality teachers, and improve its academic and research programs.

**Enterprise designation** - this bill, in essence, would have given the university greater flexibility to manage its finances. It would have granted any Colorado public higher education institution enterprise designation if state financial support fell below ten percent – in FY2003 state support made up 9.6 percent of CU's \$1.6B budget. The bill which the legislature approved 95 - 5 would have allowed:

- Higher education institutions the ability to issue revenue bonds for academic facilities, subject to approval by the General Assembly and the governor; and
- The legislature and the governor to retain the ability to determine tuition and fee levels outside TABOR constraints.

However, because the entire higher education legislative package was not approved by the legislature (including vouchers), Governor Owens chose to veto the Enterprise bill. The Office

of State and Federal Government Relations will continue to confer with Governor Owens and his staff, the Joint Budget Committee (JBC), CCHE and others to arrive at a workable solution. As the level of state support for higher education remains in question, enterprise designation continues to be an innovative alternative to sustain and even enhance our quality and competitiveness. It will also provide additional flexibility to best address future budget reductions.

 **STATE AND FEDERAL GOVERNMENT RELATIONS  
GENERAL FUND REDUCTIONS AND APPROPRIATIONS  
FY2003 AND FY2004**

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**BUDGET REDUCTIONS DURING THE 2003 LEGISLATIVE SESSION**

In FY2003, quarterly revenue estimates continued to come in lower than forecasts had predicted, forcing the state legislature to make cuts to state agency budgets.

Fortunately, President Hoffman and the Office of State and Federal Government Relations successfully lobbied against a 45.2 percent cut to the FY2003 operating budget, reducing it to 11.1 percent. Similarly, because of strong advocacy, the General Assembly adopted a 16.0 percent cut to the FY2004 operating budget instead of a proposed 27.7 percent.

- CU's operating budget was cut \$79 M over the last three years.
- CU's capital budget was cut \$120 M over the last three years.
- This General Fund reduction will take us back to FY 1995 levels with nearly 8,000 more students (headcount) in that same time.
- CU's General Fund allotment per resident student dropped from a high of \$5,612 to \$3,217 in FY 2004.
- All Programs of Excellence were eliminated for a loss of \$790 K to the University.

**FY 2004 TUITION INCREASES**

In order to offset some of the cuts described above, the General Assembly and Governor Owens approved tuition increases for FY2004.

- The General Assembly approved the following tuition increases
  - Ten percent overall tuition increase for resident students.
  - Five percent increase for the UCB Quality for Colorado tuition differential.
  - Tuition differentials for the following programs:
    - UCB Business School
    - UCHSC School of Medicine (MD)
    - UCHSC Program of Physical Therapy
    - UCHSC School of Dentistry (DDS)
    - UCHSC School of Nursing (MS)
    - UCHSC School of Nursing (ND)
- Governor Owens vetoed these increases. After working with CCHE, University of Colorado officials secured a nine percent increase in combined tuition and fee rates and approval for all tuition differentials.



**STATE AND FEDERAL GOVERNMENT RELATIONS  
STATE CAPITAL CONSTRUCTION SUMMARY  
FY 2004**

<b>Campus and Project</b>	<b>State Appropriation</b>	<b>Cash Appropriation</b>	<b>Total Appropriation</b>
<b>BOULDER CAMPUS</b>			
<i>Capital Construction</i>			
Lease, Purchase, and Renovation of 1777 Exposition Drive.	\$0	\$10,617,000	\$10,617,000
<b>TOTAL UCB CAPITAL APPROPRIATION</b>	<b>\$0</b>	<b>\$10,617,000</b>	<b>\$10,617,000</b>
<b>COLORADO SPRINGS CAMPUS</b>			
<i>Capital Construction</i>			
Main and Cragmor Halls	\$0	\$3,500,000	\$3,500,000
Purchase University Hall	\$0	\$8,200,000	\$8,200,000
Public Garage and Public Safety Facility	\$0	\$6,000,000	\$6,000,000
Housing Project	\$0	\$16,000,000	\$16,000,000
<b>TOTAL UCCS CAPITAL APPROPRIATION</b>	<b>\$0</b>	<b>\$33,700,000</b>	<b>\$33,700,000</b>
<b>DENVER/AURARIA CAMPUS</b>			
<i>Capital Construction</i>			
None	\$0	\$0	\$0
<b>TOTAL UCD/AURARIA CAPITAL APPROPRIATION</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Campus and Project</b>	<b>State Appropriation</b>	<b>Cash Appropriation</b>	<b>Total Appropriation</b>
<b>HEALTH SCIENCES CENTER</b>			
<i>Capital Construction</i>			
Barbara Davis Center	\$0	\$9,637,762	\$9,637,762
Center for Bioethics and Humanities	\$0	\$5,436,977	\$5,436,977
Fitzsimons, Infrastructure Phase 6	\$0	\$1,322,508	\$1,322,508
Fitzsimons, Infrastructure Phase 7	\$0	\$5,424,376	\$5,424,376
Fitzsimons, Research Complex II	\$0	\$205,820,165	\$205,820,165
Lazarra Center for Oral and Facial Health	\$0	\$26,500,000	\$26,500,000
Certificates of Participation Legislation			
Education Facilities IB	\$22,210,108	\$0	\$22,210,108
Education IB- Phase 2	\$597,648	\$0	\$597,648
Education Facility II	\$53,465,731	\$0	\$53,465,731
Library at Fitzsimons	\$34,998,669	\$0	\$34,998,669
Academic Office Complex	\$71,318,745	\$0	\$71,318,745
Environmental Health and Safety II	\$1,806,291	\$0	\$1,806,291
Facility Support	\$15,707,167	\$0	\$15,707,167
Education Bridge	\$2,771,750	\$0	\$2,771,750
<b>TOTAL UCHSC CAPITAL APPROPRIATION</b>	<b>\$202,876,109</b>	<b>\$254,141,788</b>	<b>\$457,017,897</b>
<b>UNIVERSITY OF COLORADO TOTAL CAPITAL APPROPRIATIONS</b>			
<b>Capital Construction Projects</b>	<b>\$202,876,109</b>	<b>\$298,458,788</b>	<b>\$501,334,897</b>
<b>GRAND TOTAL</b>	<b>\$202,876,109</b>	<b>\$298,458,788</b>	<b>\$501,334,897</b>





**STATE AND FEDERAL GOVERNMENT RELATIONS  
KEY STATE HIGHER EDUCATION LEGISLATION**

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**Senate Bill 24**

***Concealed Handgun Permits***

**(Chlouber/White)**

Specifies that the issuance and use of a permit to carry a concealed handgun is a matter of statewide concern. Assigns responsibility for issuing permits to county sheriffs and the official having the duties of a sheriff in a city and county. Specifies the qualifications for receiving and keeping a permit.

States that a permit authorizes the permittee to carry a concealed handgun in all areas of the state, except as restricted by state or federal law, and in other specified locations. Prohibits a local government from adopting a resolution or ordinance restricting the carrying of a concealed handgun that would conflict with the state law.

**APPROVED** by Governor March 18, 2003

**EFFECTIVE** May 17, 2003

**Note:** On June 17, 2003, Colorado Attorney General Salazar issued an official opinion that a University of Colorado Regents law prohibiting guns on campus supersedes the new state law.

**Senate Bill 25**

***Firearm Regs Statewide Concern***

**(Dyer/Hefley)**

Expands the prohibition against local ordinances and resolutions that restrict a person's ability to travel with a weapon in a private automobile to apply to situations in which the person is traveling for purpose of hunting or traveling within one jurisdiction.

Prohibits a local government from adopting or enforcing an ordinance, resolution, or other law that would prohibit the sale, purchase, or possession of a firearm that a person may lawfully sell, purchase, or possess under state or federal law. Requires the local government to post signs at the public entrances to any building or area in which open carrying of a firearm is prohibited.

**APPROVED** by Governor March 18, 2003

**EFFECTIVE** March 18, 2003

**Senate Bill 33**

***Agency Management of Public Records***

**(Anderson/Coleman)**

Requires each state agency, to establish and maintain a records management program that satisfies the procedures established by the executive director of the department of personnel. Requires each state agency to document the policies and procedures of such program. Requires each state agency to designate a records liaison officer or officers from the agency's existing personnel and establishes specific duties. Requires every public officer of a state agency to consult every 2 years, beginning on January 1, 2005, with the department of personnel and the attorney general to determine the value of the public records in his or her custody.

**APPROVED** by Governor May 22, 2003

**EFFECTIVE** August 6, 2003

**Senate Bill 71**                      *Arts & Club Liquor Licenses Higher Ed*                      (Sandoval/Williams T.)

Authorizes a club or arts liquor license to be issued to any entity upon the investigation of the president or chair of the board and the manager.

Repeals a prohibition against placing a licensed arts liquor premises in a college, university, or seminary.

**APPROVED** by Governor March 13, 2003                      **EFFECTIVE** March 13, 2003

**Senate Bill 98**                      *PERA Employer Contributions*                      (Arnold/Fritz)

Requires all information, contained in the records of members and retirees of the public employees' retirement association (PERA) to be kept confidential. Requires a portion of the amount paid by a PERA member to purchase service credit to be transferred to the PERA health care trust fund. Limits eligibility to make direct payments to PERA in lieu of member contributions to vested inactive members who terminate PERA membership before a specified date. Modifies existing PERA benefits as specified.

**APPROVED** by Governor June 5, 2003                      **PORTIONS EFFECTIVE** June 5, 2003  
**PORTIONS EFFECTIVE** July 1, 2003  
**PORTIONS EFFECTIVE** November 1, 2003

**Senate Bill 135**                      *Eliminate Obsolete Provisions*                      (Lamborn/Smith)

Repeals or amends outdated provisions in the Colorado revised statutes

**APPROVED** by Governor April 7, 2003                      **EFFECTIVE** August 6, 2003

**Senate Bill 255**                      *Selective Service Registration Higher Ed*                      (Clouber/Cadman)

Requires a state-supported institution of higher education at which a person is enrolling to verify the person's sworn statement of selective service registration compliance. Specifies that if a student knowingly gives false information regarding selective service registration compliance, the student shall be suspended from the state-supported institution of higher education in which the student is enrolled

**APPROVED** by Governor June 5, 2003                      **EFFECTIVE** January 1, 2004

**Senate Bill 264**                      *Enterprise Designation of Higher Ed Inst*                      (Teck/Plant)

Authorizes an institution or a group of institutions of higher education to be designated by the governing body of the institution or group of institutions as an enterprise for purposes of section 20 of article X of the state constitution (TABOR) so long as the governing body retains authority to issue revenue bonds on behalf of the institution or group of institutions; and the institution or group of institutions receives less than 10 percent of its total annual revenues in grants from all Colorado state and local governments combined. Specifies that so long as such an institution or

group of institutions is designated as an enterprise, the institution or group of institutions shall not be subject to any of the provisions of TABOR.

Directs the Colorado commission on higher education, in consultation with the governing body of an institution or group of institutions of higher education that has been designated by that governing body as an enterprise, to recommend to the Governor and the general assembly tuition rates at the institution or group of institutions.

**VETOED** by Governor May 22, 2003

**Senate Bill 268**                      *Securitize Tobacco Moneys for Reserve*                      **(Reeves/Young)**

For the purpose of allowing the state to sell a portion of the tobacco settlement revenues owed to the state in future years under the master settlement agreement reached in the tobacco litigation (tobacco settlement revenues) to help fund the constitutionally-mandated 3 percent emergency reserve, to provide a cash flow reserve that the state treasurer can use to resolve cash flow emergencies, and to maximize its net proceeds from the sale: Creates the tobacco litigation settlement financing corporation (corporation) as an instrumentality of the state; authorizes the state treasurer to enter into one or more property sale contracts with the corporation; authorizes the corporation to issue bonds to generate the moneys needed to pay consideration owed to the state under the terms of a property sale contract. Requires the state treasurer to deposit net property sale contract proceeds into the tobacco litigation settlement trust fund.

**APPROVED** by Governor June 5, 2003

**EFFECTIVE** June 5, 2003

**Senate Bill 282**                      *Tobacco Litig Cash Transfer Gen Fund*                      **(Teck/Witwer)**

Reduces the 2002-03 fiscal year appropriation for the tobacco education, prevention, and cessation grant program by \$5,651,105 and transfers such amount to the general fund. Of the amount of tobacco settlement moneys received by the state treasurer in April 2003 for the 2003-04 fiscal year and deposited in the tobacco litigation settlement cash fund, transfers \$21,660,609 from such fund to the general fund for use in the 2002-03 fiscal year. For the 2003-04 fiscal year, eliminates and reduces the amount of tobacco settlement moneys appropriated for specified programs and modifies the prioritization of the allocation of tobacco settlement moneys to require the state controller to allocate funding for the children's basic health plan prior to allocating tobacco settlement moneys for any other programs.

**APPROVED** by Governor June 5, 2003

**EFFECTIVE** June 5, 2003

**Senate Bill 304**                      *Higher Ed Institutions' Role and Mission*                      **(Arnold/Lee)**

Modifies the role and mission of specified state-supported institutions of higher education.

**APPROVED** by Governor June 5, 2003

**EFFECTIVE** July 1, 2003

**Senate Bill 308*****Use of Advanced Technology Fund  
Moneys*****(May R./Witwer)**

Clarifies that moneys in the advanced technology fund shall be used for biotechnology and other advanced technology projects or for environmental research, research and development, and technology transfer programs in the state. On and after July 1, 2003, sets the percentage of moneys in the fund that are used for waste diversion and recycling strategies at no less than 20 percent of moneys derived from waste tire recycling fees.

**APPROVED** by Governor May 22, 2003**EFFECTIVE** May 22, 2003**Senate Bill 322*****Higher Ed Student Visa Verification*****(Andrews/Lee)**

Requires registrars at state-supported institutions of higher education annually to verify with the United States bureau of citizenship and immigration services the visa status of all enrolled foreign students from specified countries with links to Islamic terrorism and to report the visa status to the Colorado commission on higher education.

**DIED** May 7, 2003**Senate Bill 342*****Cash Flow Reserve & Sale of State Prop*****(Owen/Young)**

Creates a cash flow reserve in the controlled maintenance trust fund that shall consist of the proceeds of the sale of eligible state facilities and \$40 million transferred from the general fund. On or before January 1, 2004, authorizes the executive director of the department of personnel (executive director) to sell one or more eligible state facilities to raise up to \$160 million of net proceeds for the state. Defines an "eligible state facility" as any unencumbered building, structure, or facility that is owned by the state, including state institutions of higher education.

**APPROVED** by Governor June 5, 2003**EFFECTIVE** June 5, 2003**House Bill 1002*****College Remedial Course Reimbursement*****(Young/Teck)**

Requires the Colorado commission on higher education to adopt procedures by which a college that offers preparatory courses may bill a Colorado school district for course-reimbursement payment for a preparatory course taught to a student that received a high school diploma from the school district within the 2 years preceding enrollment in the course. Requires the school district to pay the course-reimbursement payments.

**KILLED** January 22, 2003

**House Bill 1093*****Governance of State Colleges*****(Berry/Teck)**

Repeals the board of trustees of the state colleges in Colorado. Establishes separate governing boards for Mesa state college, Adams state college, and Western state college of Colorado. Specifies the powers, duties, and obligations of each of these boards of trustees with respect to the state college that each board governs.

**APPROVED** by Governor March 25, 2003**EFFECTIVE** March 25, 2003**House Bill 1108*****CO Higher Ed Policy for IB Students*****(Paccione/Tupa)**

Requires the Colorado Commission on Higher Education, on or before January 1, 2004, to ensure that 4-year public institutions of higher education adopt and implement policies for the acceptance of first-time freshman students who have successfully completed an international baccalaureate diploma program. Specifies requirements and permissions given to institutions in granting of credit.

**APPROVED** by Governor April 18, 2003**EFFECTIVE** August 6, 2003**House Bill 1128*****Public Display of the National Motto*****(Stafford/Cairns)**

Directs the chief administrative officer of any state institution, public school, or political subdivision to display the national motto, "In God We Trust", in each public building and public school classroom in the state.

**KILLED** April 14, 2003**House Bill 1159*****Education Paraprofessional Certification*****(Paccione/Johnson S.)**

Instructs the state board for community colleges and occupational education ("board") to establish an education paraprofessional training program ("program") to provide training for persons hired to assist licensed teachers. Sets the minimum requirements for the program.

**APPROVED** by Governor April 17, 2003**EFFECTIVE** April 17, 2003**House Bill 1178*****In-state Tuition Students*****(Vigil/Tapia)**

Specifies criteria for a student to meet to receive in-state classification for purposes of tuition at any state-supported institution of higher education in the state.

**KILLED** May 1, 2003**House Bill 1256*****Lease Purchase for CSPII and Fitzsimons*****(Spradley/Anderson)**

Authorizes the executive director of the department of corrections to enter into a lease-purchase agreement for construction of a high-custody correctional facility. Authorizes the regents of the

University of Colorado, on behalf of the state, to enter into lease-purchase agreements for the construction of specified academic facilities for the health sciences center at Fitzsimons.

**APPROVED** by Governor April 28, 2003

**EFFECTIVE** April 28, 2003

**House Bill 1316**                      *State Employee Total Comp Modification*      **(Spradley/Arnold)**

Modifies the process for determining annual compensation for state employees in specified ways. Authorizes the director, instead of the state personnel board, to adopt procedures establishing the voluntary separation incentive program, which is to be used in lieu of layoffs when necessitated by a shortage of work, a shortage of funds, or a reorganization. Makes modifications to group benefit plans offered to state employees.

**APPROVED** by Governor May 22, 2003

**EFFECTIVE** May 22, 2003

**House Bill 1336**                      *Higher Ed Opportunity Stipends*                      **(King/Arnold)**

Establishes the college and graduate opportunity savings account programs in the department of higher education to allow a Colorado resident to transfer from a savings account to a public institution of higher education a portion of the resident's in-state tuition. Specifies the amount available for the 2004-05 school year per undergraduate or graduate credit hour and the total lifetime amount of a stipend per student.

**KILLED** May 7, 2003



**STATE AND FEDERAL GOVERNMENT RELATIONS  
KEY STATE HEALTH CARE LEGISLATION**

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**Senate Bill 015**                    *Patient Disclosure of Estimated Charges*    **(Owen/Jahn)**

Requires hospitals and health care facilities to disclose to patients their right to receive the average facility charge for frequently performed procedures, prior to the scheduling of a non emergency procedure. When requested, disclosures are required to be provided prior to admission for inpatient hospital procedures and prior to scheduling for other health care facilities.

**APPROVED** by Governor April 22, 2003                    **EFFECTIVE** January 1, 2004

**Senate Bill 050**                    *Licensure Questionnaire For Nurses*                    **(Takis/Williams T)**

Requires the state board of nursing to create a questionnaire to be disseminated to licensed professional, practical, and retired nurses upon application for renewal of such nursing licenses. Requires the questionnaire to inquire whether a nurse has violated the nurse practice act or committed any other act that would make the licensee unfit to practice nursing. Specifies that negligent or willful failure to respond to the questionnaire shall constitute grounds for discipline.

**APPROVED** by Governor May 14, 2003                    **EFFECTIVE** July 1, 2003

**Note:** No Safety Clause

**Senate Bill 112**                    *CO Indigent Care Program*                    **(Anderson/Coleman)**

Modifies the administration of the Colorado Indigent Care Program. It consolidates several long bill line items into one line item. The Bill also changes the distribution of the dollars in the program. In addition, it changes the Department of Health Care Policy and Financing's current reporting requirements. The Act eliminates numerous references to provisions required to be in each provider contract and requires the department to establish these provisions as overall procedures and policies for the program that would be applicable to each provider.

**APPROVED** by Governor April 7, 2003                    **EFFECTIVE** April 7, 2003

**Senate Bill 119**                    *Sunset Review Of Pharmacy Board*                    **(Johnson S., Clapp)**

Continues the regulatory functions of the state board of pharmacy (board) until 2012.

**APPROVED** by Governor April 17, 2003                    **EFFECTIVE** July 1, 2003

**Senate Bill 134**                    *Sunset Certification Of Nurse Aides*                    **(Keller/Tochtrop)**

Continues the certification of nurse aides by the state board of nursing (board) until 2010.

**APPROVED** by Governor June 5, 2003                    **EFFECTIVE** June 5, 2003

**Senate Bill SJR005**      *Concerning Colorado on the Move*      **(Hillman/ White)**

Colorado on the Move Resolution

**APPROVED** by Governor January 20, 2003      **EFFECTIVE** January 20, 2003

**House Bill 1007**      *Med Malpractice Damages Limits*      **(T. Williams/Hillman)**

Clarifies that damages awarded for non economic loss or injury in a medical malpractice action includes damage for physical impairment and disfigurement. It also increase the cap for non-economic damages to \$300,000.

**APPROVED** by Governor May 20, 2003      **EFFECTIVE** July 1, 2003

**House Bill 1012**      *Corporate Practice Of Medicine*      **(T. Williams/Hillman)**

Clarifies that a professional services corporation formed by persons licensed to practice medicine does not engage in the corporate practice of medicine. In addition, it provides that a professional services corporation may not control the physician's independent professional judgment concerning the practice of medicine, diagnosis, or treatment.

**APPROVED** by Governor May 2, 2003      **EFFECTIVE** July 1, 2003

**House Bill 1156**      *Board of Medical Examiners' Fine for Unprofessional Conduct*      **(Romanoff/ Johnson S)**

Allows the Colorado state board of medical examiners (board) to impose a fine of not more than \$10,000 against a licensee in lieu of suspending a license. Directs moneys received as fines imposed by the board to the state's general fund.

**APPROVED** by Governor May 1, 2003      **EFFECTIVE** July 1, 2003

**Note:** No Safety Clause

**House Bill 1164**      *Expansion of Access to Health Insurance*      **(Spradley/ Hillman)**

The Bill reverts Colorado back to utilizing health status and claims experience in premium rate settings for small group health coverage. The premium rate bands may range from 15 percent about to 25 percent below the health carrier's filed premium rates. The bill also creates a statewide pilot program for up to 18 multiple employer welfare arrangements (MEWAs). MEWAs participating in the program are allowed to offer health benefit coverage to member employers, but they must accept all employers within the MEWA's professional affiliation regardless of the health status of individuals within the employer group or the size of the employer.

**APPROVED** by Governor May 20, 2003      **EFFECTIVE** Portions on July 1, 2003  
January 1, 2004



**House Bill 1232**

***Evidence Of Admissions Med  
Malpractice.***

**(Stafford/ Johnson )**

Makes inadmissible as evidence of an admission of liability or as an admission against interest in any civil action brought by an alleged victim of an unanticipated outcome of a medical procedure, or any arbitration proceeding related to such civil action, any and all statements, affirmations, writings, gestures, or conduct expressing apology, fault, sympathy, commiseration, condolence, compassion, or a general sense of benevolence which are made to the alleged victim, a relative of the alleged victim, or a representative of the alleged victim and which relate to the discomfort, pain, suffering, injury, or death of the alleged victim as the result of an unanticipated outcome. Defines "unanticipated outcome" to mean the outcome of a medical treatment or procedure that differs from an expected result.

**APPROVED** by Governor April 17, 2003

**EFFECTIVE** April 17, 2003

**House Bill 1256**

***Lease Purchases For Fitzsimons and CSPII (Spradley/Anderson )***

Authorizes the Regents of the University of Colorado, on behalf of the state, to enter into lease-purchase agreements for the construction of specified academic facilities for the Health Sciences Center at Fitzsimons. Authorizes the Executive Director of the Department of Corrections to enter into a lease-purchase agreement for construction of a high-custody correctional facility. Authorizes the Colorado educational and cultural facilities authority to act as lessor under a lease-purchase agreement with a participating institution

**APPROVED** by Governor April 28, 2003

**EFFECTIVE** April 28, 2003

**House Bill 1370**

***Reviews Of Designated Trauma Facilities (Stafford/ Johnson )***

Eliminates the three year review requirement for designated trauma facilities. Requires the state board of health to adopt an ongoing periodic review process for designated trauma facilities.

**APPROVED** by Governor May 22, 2003

**EFFECTIVE** May 22, 2003



## STATE AND FEDERAL GOVERNMENT RELATIONS FEDERAL RELATIONS

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### **FY2003 AND FY2004 FEDERAL PRIORITIES**

The congressional calendar runs year round so many issues remain outstanding at the time of this report. Generally, Congress convenes in January and attempts to adjourn in October. This year is the 108<sup>th</sup> Congress, 1<sup>st</sup> Session.

Thanks to the incredible relationship of President Hoffman and the Chancellors with our congressional members, we were quite successful in getting funding for special projects. The fact that relationships were stronger than ever translated into more visits to the campuses by members and their staffs, more quality time spent with members and their staffs at their events, university events or in a private capacity, and more interest from the Colorado congressional delegation in how they could be helpful to the University.

**We urge faculty and staff to contact our office regarding any congressional tours you need arranged and any Hill visits you do, even if they are with your professional associations. Also, we ask that faculty or staff contact us prior to sending any correspondence on University of Colorado letterhead to any member of Congress. Thank you.**

#### **Special Projects Funding Received in FY2003**

In FY2002, our Office lobbied to obtain almost \$9 million in federal funding for special projects on two of CU's four campuses, an increase of over \$4 million from 2001:

- ◆ UCHSC received \$6,000,000 for the Fitzsimons campus.
- ◆ UCCS received \$2,000,000 for the Network Information and Space Security Center.
- ◆ UCHSC received \$666,000 for the Native American Telehealth Center.
- ◆ UCHSC received \$300,000 for the Digital Telehealth project.

#### **Special Projects Funding Requested in FY2004**

In February 2003, President Hoffman and Assistant Vice President Kelly-Bowry traveled to Washington, DC, to do Hill visits with all our congressional members to discuss the University of Colorado's federal initiatives and to enlist their support. This year the Office of State and Federal Government Relations will seek funding for the following projects:

- ◆ \$30 million to move the VA Hospital to the University of Colorado Fitzsimons campus.
- ◆ \$10 million for the University of Colorado Health Sciences Center Fitzsimons campus.
- ◆ \$3 million for the University of Colorado at Colorado Springs Network and Information Security Center (NISSC).
- ◆ \$3 million for the University of Colorado at Denver Center for Domestic Violence.
- ◆ \$2 million for the Institute for Micro/Nano Technology for Engineering and Life Sciences at University of Colorado at Boulder.

#### **Research Funding in FY2004**

In addition to the federal initiatives, President Hoffman lobbied the congressional delegation for their support of federal research funding. The University of Colorado has been extremely competitive in the peer review process on all four of our campuses. In FY 2002, the University of Colorado four campus system received a total of \$405 million in federal funding. Because of

this, the Office of State and Federal Government Relations will work hard to secure increased funding for research and education from the following federal agencies:

<b>Agency</b>	<b>Appropriations Committee</b>
National Institutes of Health (NIH) Department of Health and Human Services (HHS) Center for Disease Control and Prevention (CDC) Department of Education	Labor/HHS/Education
National Science Foundation (NSF) Nat'l Aero. & Space Admin. (NASA)	VA/HUD/Independent Agencies
Department of Defense (DOD)	Defense
Department of Energy (DOE)	Energy
National Oceanic & Atmospheric Administration (NOAA)	Commerce, Justice, State
National Endowment for the Humanities (NEH)	Interior
Department of Homeland Security	Homeland Security

In addition to the above we will be closely tracking the following federal issues as listed below:

1. **Higher Education Act Reauthorization:** The Higher Education Act is up for reauthorization during the 108<sup>th</sup> Congress. We will be tracking closely all issues and legislation related to the reauthorization, including those regarding financial aid, teacher education, cost control, accountability, access for low income and underrepresented students, and quality.
2. **Homeland Security:** We will be working with President Hoffman, Vice President Jack Burns and all of the CU Research Officers on each of our four campuses to identify and pursue funding opportunities within the Department of Homeland Security. We will also be working closely with the Colorado Department of Public Health and Environment to identify funding opportunities in first responder program money.
3. **International Student and Scholar Issues:** We will continue to work with campus international education offices and our congressional delegation to help ensure that implementation of the INS Student and Exchange Visitor Information System (SEVIS) goes smoothly. Additionally, we will lobby on behalf of our campuses to ensure that new rule making regarding visa application and interview processes does not disrupt study or work at the University.
4. **NIH:** FY2003 marked the last year of the doubling of the NIH budget. We will lobby Congress to continue to provide increases to the NIH budget and resist efforts to level fund NIH. We will also continue to advocate on the need for increased NIH facilities funding to construct and rebuild the research infrastructure at academic institutions.
5. **NSF:** Last year Congress passed H.R. 4664, the National Science Foundation Authorization Act of 2002, which authorized the doubling of the NSF budget by FY 2007, but did not appropriate any additional funding for NSF. We will lobby Congress to appropriate funding to double the NSF budget.



**STATE AND FEDERAL GOVERNMENT RELATIONS  
KEY HIGHER EDUCATION FEDERAL LEGISLATION  
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**S.338/H.R.641**                      *National Collegiate and Amateur Athletic  
Protection Act*                      **(Ensign/Gibbons)**

A bill to protect amateur athletics and combat illegal sports gambling.

**Status: Died in Committee.**

**S.487/H.R.2215**                      *Technology, Education, and Copyright  
Harmonization Act*                      **(Hatch/)**

Bill would amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of a single copy of such performances or displays is not an infringement, and for other purposes

**Status: Signed into law November 2, 2002**

**S.1478/H.R.3058**                      *Puppy Protection Act*                      **(Whitfield/Santorum)**

Bill would amend the Animal Welfare Act (AWA) to 1) require breeders to socialize dogs, 2) prohibit breeding of female dogs before they have reached 1 year of age, and limit frequency to no more than 3 times within a 2-year period. The bill would also establish "mandatory revocation" of licenses for three or more AWA violations within an 8-year period. The mandatory license revocation for three AWA violations provisions will apply to all exhibitors and dealers, including research animal dealers. NABR is concerned about this bill because the proposed standards for exercise, socialization and breeding of dogs will apply to research facilities as well as the Class A and B dealers that supply research dogs.

**Status: Died in Committee**

**S.1486/H.R.3242**                      *Biological and Chemical Weapons  
Preparedness Act*                      **(Edwards/Blagojevich)**

Bill would ensure that the US is prepared for an attack using biological or chemical weapons. Bill would provide \$100 million for hospital preparedness under new biological and chemical weapons preparedness block grants and \$100 million for grants to strengthen hospital emergency, trauma, and ICU capacity.

**Status: Died in Committee**

**S.1731/H.R.2646**                      *Farm Security and Rural Investment Act*                      **(Harkin/Combest)**

Thanks to the work of President Hoffman, the higher education community was successful in permanently removing the rats, mice and birds from the Animal Welfare Act (AWA).

An amendment to the farm bill, called the Rats, Mice and Birds amendment, codified the current administrative exclusion of rats, mice and birds from AWA. Many research universities feel that USDA regulation is not needed to assure animal welfare, but it will result in costly, duplicative, and burdensome new paperwork.

**Status: Signed into law May 13, 2002**

**S.1749/HR3525**                      *Enhanced Border Security and Visa Reform Act*                      **(Kennedy/  
Sensenbrenner)**

The bill would revise several visa processes and procedures, including those related to international students.

**Status: Signed into law May 14, 2002**

**S.1765/H.R.3448**                      *Bioterrorism Preparedness Act*                      **(Frist/Tauzin)**

Bill would improve the ability of the United States to prepare for and respond to a biological threat or attack. Among many other things, this bill:

1. Expands the role of the CDC by directing the Secretary to provide for the establishment of a coordinated network of public health laboratories to assist with the detection of and response to a biological threat or attack.
2. Establishes a State Bioterrorism Preparedness and Response Block Grant Program to enable States and localities to prepare for and respond to biological threats and attacks.
3. Directs the Secretary to conduct, and award grants, contracts, or cooperative agreements for, research, investigations, experiments, demonstrations, and studies in the health sciences relating to: (1) the epidemiology and pathogenesis of biological agents or toxins of potential use in a bioterrorist attack; (2) the development of new vaccines and therapeutics for use against biological agents or toxins of potential use in a bioterrorist attack; (3) the development of diagnostic tests to detect biological agents or toxins of potential use in a bioterrorist attack; and (4) other relevant areas of research, with consideration given to the needs of children and other vulnerable populations.

**Status: Signed into law June 12, 2002**

**S.2452/H.R.5005**                      *Homeland Security Act*                      **(Lieberman/Armey)**

Bill establishes a Department of Homeland Security (DHS) to: (1) prevent terrorist attacks within the United States; (2) reduce the vulnerability of the United States to terrorism; (3) minimize the damage, and assist in the recovery, from terrorist attacks that occur within the United States; (4) carry out all functions of entities transferred to DHS; (5) ensure that the functions of the agencies and subdivisions within DHS that are not related directly to securing the homeland are not diminished or neglected except by a specific Act of Congress; (6) ensure that the overall

economic security of the United States is not diminished by efforts, activities, and programs aimed at securing the homeland; and (7) monitor connections between illegal drug trafficking and terrorism, coordinate efforts to sever such connections, and otherwise contribute to efforts to interdict illegal drug trafficking.

**Status: Signed into law November 25, 2002**

**S.2817/H.R. 4664**                    *National Science Foundation Authorization Act*    **(Kennedy/Smith)**

Bill authorized the doubling of the NSF budget by FY 2007, but did not appropriate any additional funding for NSF. The Office of State and Federal Government Relations will lobby Congress to appropriate funding to double the NSF budget.

**Status: Signed into law December 19, 2002**

**S.3021/H.R.3204**                    *Intellectual Property Protection Restoration Act*    **(Leahy/Coble)**

Bill would amend Federal patent law to prohibit the award of remedies in civil actions brought for infringement of a patent issued on or after January 1, 2002, if a State or State instrumentality is or was at any time the legal or beneficial owner of such patent, except upon proof that by the date the infringement commenced (or January 1, 2004, whichever is later) the State has waived its immunity from suit in Federal court for any infringement of intellectual property protected under Federal law.

**Status: Died in Committee**

**H.R.7**                                    *Community Solutions Act*                                    **(Watts)**

Bill would provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets

**Status: Passed in the House, died in Senate**

**H.R.12**                                    *Fed Up Higher Education Technical*                                    **(McKeon)**  
*Amendments Act*

A bill to improve access to higher education for disadvantaged students by reducing red tape in federal student aid programs. The bipartisan measure, dubbed "**FED UP**," would make technical corrections to the Higher Education Act that would make it easier for Hispanic-Serving Institutions to receive federal aid, help college students avoid defaulting on their student loans, clarify that federal scholarship aid can go to low-income and minority students for law school, and improve higher education access in other ways recommended by the higher education community.

**Status: Died in Committee**

**H.R.589*****Pell Grant Full Funding Act*****(Mink)**

A bill to provide for the full funding of the Pell Grant Program.

**Status: Died in Committee**

**H.R.786*****Prohibiting Persons Convicted of Drug Offenses  
from Receiving Student Financial Assistance*****(Frank)**

A bill to amend the Higher Education Act of 1965 to repeal the provisions prohibiting persons convicted of drug offenses from receiving student financial assistance.

**Status: Died in Committee**

**H.R.3482*****CyberSecurity Enhancement Act*****(Smith)**

Bill would provide greater cyber security by establishing a National Infrastructure Protection Center and establishing within the Department of Justice an Office of Science and Technology to work on law enforcement technology--investigative and forensic technologies, corrections technologies, and technologies that support the judicial process.

**Status: Passed in the House, died in Senate**

**H.R.5270*****Energy and Science Research Investment Act*****(Biggert)**

This bill would authorize an overall increase in funding for the Department of Energy's Office of Science of almost 62 percent by FY 2007--an increase of \$2.03 billion. The bill is significant to the University because the funding CU receives from the Department of Energy primarily comes from the Office of Science - \$5.51 million (FY'01-'02) for the Boulder campus alone.

**Status: Died in Committee**



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**S.135                      *Direct Graduate Medical Education Improvement Act*                      (Feinstein)**

Bill amends title XVIII of the Social Security Act to improve payments for direct graduate medical education during FY 2003 through 2006 under the Medicare program. It does so by increasing the payment floor per resident amount. The bill increases the payment floor level from 85 percent of the locality adjusted national average in FY 2002 to 90 percent in FYs 2003 and 2004, 95 percent in FY 2005, and 100 percent in FY 2006.

**Status: Died in Committee**

**S.572/H.R.854                      *Medicaid Safety Net Hospital Preservation Act*                      (Chafee/Whitfield)**

Bill prevents cuts to Medicaid DSH allotments scheduled to occur in FY 2003. The Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act (BIPA) prevented the scheduled reductions to the Medicaid DSH state allotments for FYs 2001 and 2002; however, in FY 2003 the state allotments revert back to reduced levels established by the Balanced Budget Act of 1997.

**Status: Died in Committee**

**S.721                                      *Nursing Employment and Education  
Development Act*                                      (Hutchinson)**

Bill authorizes appropriations for the nursing workforce development student loan repayment program and permit the service required by such program to be performed in a skilled nursing facility, in a home health agency, in a public health department, or in a nurse-managed health center. Bill also provides for a Nurse Corps Scholarship program to provide scholarships to individuals seeking nursing education in exchange for service from such individuals in a critical nursing shortage area upon completion of such education, a public awareness and education campaign encouraging pursuit of the nursing profession, an area health education centers program to develop models of excellence for nurses, community nurse outreach grants, educational assistance for nurses from diverse or disadvantaged backgrounds, career ladder program grants for nurses, nurse training grants, nurse internship and residency grants, a fast-track nursing faculty loan program, a stipend and scholarship program to encourage individuals to seek advanced nursing degrees, and a National Commission on the Nursing Crisis.

**Status: Reported out of Committee**

**S.723/H.R.2059                      *Stem Cell Research Act*                                      (Specter/McDermott)**

Bill would permit federal funding of research utilizing human embryonic stem cells as long as those cells were derived from embryos that have been donated from in-vitro fertilization clinics with the written informed consent of the progenitors, and that otherwise would be discarded.



However, the legislation would prohibit federal funding for any research aimed at creating human embryos or human cloning

**Status: Died in Committee**

**S.790/H.R.2505**                      *Human Cloning and Prohibition Act*                      **(Brownback/Weldon)**

Bill would make it a federal crime, punishable by up to 10 years in prison and a \$1-million fine, for scientists to employ a cloning technique called somatic nuclear transfer in combination with human embryos. Many research organizations opposed this bill as being too broad.

**Status: Died in Committee**

**S.839/H.R.1556**                      *American Hospital Preservation Act*                      **(Hutchison/Foley)**

Bill would amend title XVIII (Medicare) of the Social Security Act, as amended by Federal law commonly referred to as the (Medicare, Medicaid, and SCHIP) Benefits Improvement and Protection Act, to: (1) increase (restore the full) market basket update for inpatient prospective payment services hospitals; and (2) maintain the indirect medical education adjustment percentage at 6.5 percent.

**Status: Died in Committee**

**S.913/H.R.1624**                      *Access to Cancer Therapies Act*                      **(Snowe/Pryce)**

Bill would extend Medicare drug coverage to all oral cancer drugs. Currently Medicare covers most cancer drug therapy that is administered through injection by providers. However, many new promising cancer drugs are being administered orally and do not require intravenous infusion.

**Status: Died in Committee**

**S.971**                                      *Dental Health Improvement Act*                                      **(Collins)**

Bill would expand the availability of oral health services by strengthening the dental workforce in designated underserved areas. Bill directs the Secretary of HHS to award grants to States to help them develop innovative programs to address the dental workforce needs of designated dental health professional shortage areas.

**Status: Died in Committee**

**S.1274/H.R.3431**                      *Stroke Treatment and Ongoing Prevention Act*                      (Kennedy/Capps)

Bill provides programs for the prevention, treatment, and rehabilitation of stroke. Bill provides for Federal matching funds to states to establish stroke centers of excellence.

**Status: Senate bill passed in Committee, House bill died in Committee**

**S.1411**                                      *Denver Veterans Affairs Medical Center*                                      (Campbell)  
*Transfer to Fitzsimons*

Bill authorizes the Secretary of the VA to move the VAMC to the Fitzsimons campus. This proposal has already been publicly endorsed by VA Secretary Anthony Principi.

**Status: Died in Committee**

**S.1585**                                      *Hospital-Based Nursing Initiative Act*                                      (Lieberman)

Bill would to establish grant and scholarship programs to enable hospitals to retain and further educate their nursing staffs. Money can be used to 1) improve the work environment of the hospital for the nursing staff that improves the nursing staff's job satisfaction or safety, or both; 2) provide continuing education programs for the nursing staff; 3) continue the Nurse Residency Training Program; and/or 4) carry out initiatives recommended by the Nursing Retention Committee of the hospital to increase retention of the nursing staff. Maximum grant for a hospital with less than 400 staffed beds would be \$400,000.

**Status: Died in Committee**

**S.1594**                                      *Nurse Retention and Quality of Care Act*                                      (Clinton)

Bill would amend the Public Health Service Act to provide programs to improve nurse retention, the nursing workplace, and the quality of care. Funding for the grant program would be authorized at \$40 million for fiscal years 2002 through 2007. Grants would be used to 1) promote the retention and satisfaction of professional nurses; 2) promote collaboration and communication; 3) promote nurse involvement in organizational and clinical decision making processes; 4) organize care to enhance the satisfaction of professional nurses; 5) promote opportunities for professional nurses to pursue education, career advancement, and organizational recognition; 6) promote high quality of patient care through various means; 7) promote a balanced work-life environment. This bill has been endorsed by both the American Nurses Association and the American Hospitals Association.

**Status: Died in Committee**

**S.1707/H.R.3351**                                      *Medicare Physician Payment Fairness Act*                                      (Jeffords/Bilirakis)

Bill would set the conversion factor (update) for payments under the Medicare physician fee schedule for 2002 at 0.9 percent less than the conversion factor for 2001. Declares that this conversion factor and a specified update adjustment factor for a year after 2002 shall be applied

as if this Act had not been in effect. There was no floor action in 2001 therefore the Medicare physician payment update went into effect on Jan 01/02. Payments to MD's and DO's, therapists, advanced practice nurses, chiropractors, optometrists, and others are now being cut 5.4 percent for every service.

**Status: Died in Committee**

**S.1745**                      *Medicaid Upper Payment Limit Moratorium*                      **(Lincoln)**

Bill would delay until at least January 1, 2003, any changes in Medicaid regulations that modify the Medicaid upper payment limit for non-State Government-owned or operated hospitals.

**Status: Died in Committee**

**S.1806/H.R.2173**                      *Pharmacy Education Aid Act*                      **(Reed/McGovern)**

Bill would address the serious nationwide shortage of pharmacists by amending the Public Health Act to include pharmacist services within the National Health Service Corps program of scholarships, including first-year pharmacy studies, loans, and funding. It authorizes HHS to award grants and contracts to qualifying pharmacy schools for: (1) student and faculty recruitment and retraining, with scholarship preference for students with financial need; (2) computer-based pharmaceutical education systems; and (3) facilities construction.

**Status: Died in Committee**

**S.1864/H.R.3487**                      *Nurse Reinvestment Act*

Bill allows Congress to authorize money for several new programs geared toward increasing nursing-school enrollments, including loan-repayment plans to increase the number of nursing-school faculty members, and need-based scholarships for nursing students. The law also authorizes the creation of grants for specific educational programs, in order to expand "the enrollment in baccalaureate nursing programs." The bill authorizes a number of programs designed to increase the number of nurses and nurse faculty to alleviate the nationwide nurse shortage. It creates a National Nurse Service Corps, based on the National Health Service Corps, to provide scholarships to nursing students who agree to serve 2 years in facilities with a shortage of nurses. Also included are grants to enhance nurse education and improve retention through collaboration among nurses and other health care professionals. Another provision is designed to increase geriatric training for nurses. The Nurse Faculty Loan Repayment Program would forgive student loans for nurses who work as faculty members at nursing schools.

The bill was authorized but only received \$20 million in funding for FY2003. This year we will be advocating for \$250 million in funding in FY2004.

**Status: Signed into law August 1, 2002**

**S.1893**                      *Human Cloning and Stem Cell Research Protection Act*                      **(Harkin)**

Bill would ban human cloning but protect stem cell research. Specifically, the bill would prohibit: (1) performing or attempting to perform human cloning; or (2) shipping, receiving, or importing the product of nuclear transplantation for the purpose of human cloning. Bill provides that nothing in this Act shall be construed to restrict areas of biomedical, agricultural, and scientific research not specifically prohibited, including somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues.

**Status: Died in Committee**

**S.1899**                      *Human Cloning Prohibition Act*                      **(Brownback)**

Bill would prohibit (1) performing or attempting to perform human cloning; (2) participating in such an attempt; (3) shipping or receiving an embryo produced by human cloning or any product derived from such embryo; or (4) importing such an embryo or product.

**Status: Died in Committee**

**S.1976**                      *National Cancer Act*                      **(Feinstein)**

Bill would increase the National Cancer Institute budget in FY2003 by 15 percent. The added funding would be used in part to increase the percentage of NCI research grants approved from 28 percent to up to 40 percent over five years. Bill would provide \$100 million a year for five years in grants and other incentives to take basic research from the lab into the clinic. Bill would also increase the number of cancer researchers through a grant program of \$190.5 million to "alleviate the medical school debts of 100 physicians who commit to spend at least three years doing cancer research." The proposal also would boost the salaries of 1,000 postdoctoral fellows over five years.

**Status: Died in Committee**

**S.2439**                      *Human Cloning Prohibition Act*                      **(Specter)**

Bill would prohibit human cloning while preserving important areas of medical research, including stem cell research. Specifically, it amends the Federal criminal code to prohibit: (1) conducting or attempting to conduct human cloning; or (2) shipping the product of nuclear transplantation in interstate or foreign commerce for the purpose of human cloning. It also amends the Public Health Service Act to require research involving nuclear transplantation to be conducted in accordance with certain Federal standards for the protection of human subjects.

**Status: Died in Committee**

**S.2447**                      *Teaching Hospital Preservation Act*                      **(Durbin)**

Bill would maintain IME at current levels of 6.5 percent and prevent the upcoming 15 percent reduction. IME is scheduled to be reduced to 5.5 percent in FY 2003.

**Status: Died in Committee**

**H.R.5042**                      *Veteran's New Fitzsimons Health Care Facilities Act*                      **(Hefley)**

Bill would authorize the Secretary of Veterans Affairs to construct, lease, or modify major medical facilities at the site of the former Fitzsimons Army Medical Center, Aurora, Colorado.

**Status: Died in Committee last year but was reintroduced this year.**

**H.R.1517**                      *Direct Graduate Medical Education Improvement Act*                      **(Shaw)**

Bill permanently increases from 85 percent to 100 percent of the locality adjusted national average per resident amount the payment floor for direct graduate medical education payments under the Medicare program.

**Status: Died in Committee**

**H.R.1928**                      *Medicare Critical Need GME Protection Act*                      **(Stark)**

Bill amends Notes XVIII of Social Security Act to provide for full payment rates under Medicare to hospitals for costs of direct graduate medical education of residents for residency training programs in specialties or subspecialties which the HHS Secretary designates as critical need specialty or subspecialty training programs.

**Status: Died in Committee**

**H.R.2172**                      *Cloning Prohibition Act*                      **(Greenwood)**

Bill would permit embryonic cloning to be used for medical research but would prohibit such cloning for reproductive uses. Greenwood's bill would prohibit the use of somatic cell nuclear transfer "with the intent to initiate a pregnancy" but would permit research to continue. The AAMC has endorsed the Greenwood bill.

**Status: Died in Committee**

**H.R.2178**                      *All-Payer Graduate Medical Education Act*                      **(Cardin)**

Bill would establish a trust fund to finance private payers' contributions to GME while continuing the Medicare, Medicaid and veterans' health care programs' commitments to physician training through their current GME financing mechanisms. Overall, the bill would increase net hospital revenue by an estimated \$4.5 billion.

**Status: Died in Committee**

**H.R.4697*****Human Research Subject Protections Act*****(DeGette)**

In 2002, Congresswoman Diana DeGette, working with the UCHSC, re-introduced her bill that applies the “Common Rule” to all institutions, both public and private. Among other things, the bill would require that all research involving human subjects -- regardless of its funding source -- be approved by an institutional review board. It would also establish a legal right of informed consent for human research subjects. Bill also allows for cost recovery for regulatory compliance.

**Status: Died in Committee**



## STATE AND FEDERAL GOVERNMENT RELATIONS FY2004 U.S. PRESIDENT'S BUDGET REQUEST

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In his budget message to Congress, President Bush said the FY2004 budget seeks to meet three national priorities: "winning the war against terrorism, securing the homeland, and generating long-term economic growth."

The President's budget calls for overall spending of \$2.23 trillion in FY2004, an increase of 4 percent. Discretionary Budget Authority also would rise by 4 percent, to \$819 billion. The proposed rate of increase in discretionary spending is a little more than half of the 7.7 percent increase estimated for FY2003. Much of the additional discretionary spending in FY2004 would be allocated to defense and homeland security. Discretionary spending not related to defense or homeland security would increase by 3.8 percent overall.

The President's budget projects a deficit of \$307 billion for the current year and close to that the following year, with probably no return to surpluses in the next five years. The budget also calls for \$1.46 trillion in new tax cuts over the next ten years.

### **Summary of the President's FY2004 Request by Agency**

#### **National Institutes of Health**

The proposed \$499 million increase for the National Institutes of Health (NIH) represents a 1.8 percent increase above the President's FY2003 budget request. This increase would bring total funding to \$27.9 billion. The FY2004 budget includes no funds for extramural facilities construction.

The new budget repeats last year's proposal to reduce the salary cap from Executive Level 1 (\$166,700 in 2002) to Executive Level 2 (\$150,000 in 2002). The plan was rejected by Congress each of the past 3 years.

The budget indicates that it dedicates \$400 billion over 10 years for modernization of Medicare, Medicaid, SCHIP, and welfare programs.

#### **National Science Foundation**

The President's FY2004 budget request for the National Science Foundation (NSF) is \$5.48 billion, an increase of \$453 million, or 9 percent above the FY2003 request of \$5.03 billion. This compares to the authorized level of \$6.39 billion approved by the Congress and signed into law in December, 2002. President Hoffman lobbied our entire delegation requesting them to support the NSF budget at the \$6.4 billion level authorized by Congress and President Bush in the NSF Authorization Act of 2002. The request for Research and Related Activities (R&RA) is \$4.11 billion, an increase of \$323.2 million, or 8.5 percent above last year's request.

In addition to NSF's "core" research and education activities, six focused areas are highlighted in the agency's request as NSF priority areas:

- ◆ Nanoscale Science and Engineering--NSF plans to spend approximately \$248.99 million in this area in FY2004, an increase of \$27.74 million, or 12.5 percent, over the FY2003 request.
- ◆ Information Technology Research (ITR)--In FY 2004, NSF will continue to lead a multi-agency initiative in ITR. The budget request calls for \$302.61 million for this initiative, an increase of 16.78 million, or 5.9 percent, over the FY2003 request.
- ◆ Mathematical Sciences--In FY 2004, NSF plans to spend \$89.09 million on this priority area, an increase of \$29.00 million, or 48.3 percent, over the FY2003 request.
- ◆ Human and Social Dynamics --NSF's FY2004 request for this priority area would provide \$24.25 million, an increase of \$14.25 million, or 142.5 percent over the FY2003 request.
- ◆ Biocomplexity in the Environment -- The budget requests \$99.83 million for this initiative, an increase of \$20.63 million, or 26 percent, over the FY2003 request.
- ◆ Workforce for the 21st Century--NSF proposes to spend about \$8.50 million on this priority area in FY 2004.

## NASA

The President's FY2004 budget request for NASA is \$15.469 billion, an increase of \$469 million (5 percent) over the FY2003 estimate.

NASA's budget structure has been revised for the second year in a row. The new Science, Aeronautics, and Exploration (SAE) account includes Space Science, Biological and Physical Research, Earth Science, the Aeronautics portion of Aerospace Technology, and Academic Programs (now renamed Education Programs). In addition, a portion of Safety, Mission Assurance, and Engineering (SMA&E), formerly included in the Human Space Flight account, will move into the SAE account as an indirect charge to programs there. Specific requests for the SAE account include the following:

- ◆ The total request for the Office of Space Science is \$4.007 billion, which represents an increase of \$593 million, or 17.4 percent, above the FY2003 estimate.
- ◆ The request for the Office of Earth Science is \$1.552 billion, which is \$76 million, or 4.7 percent, less than the FY2003 estimate.
- ◆ The request for the Office of Earth Science is \$959 million, which represents an increase of \$12 million, or 1.3 percent, over the FY2003 estimate.
- ◆ The request for Education Programs is \$170 million, an increase of \$26 million, or 18 percent, over the FY2003 estimate.

## Department of Defense

The President's budget provides \$10.2 billion for Defense S&T (6.1, 6.2, and 6.3). The FY2004 defense budget proposes to shift several programs, including the University Research Initiative, from the Defense-wide account to the services. As a result, many of the increases in the services' budgets, especially in 6.1, appear higher than they actually are.

The President's budget would provide \$1.309 billion for Defense 6.1 programs in FY2003. The total is 12.4 percent below the \$1.495 billion level approved by Congress in FY2003. For Defense 6.2 programs, the President is proposing \$3.670 billion, or 20.2 percent below the final FY2003 appropriated funding level of \$4.599 billion.



## **Department of Homeland Security**

More than \$900 million is requested in the FY 2004 budget for R&D to combat terrorism within the new Department of Homeland Security (DHS).

Science and Technology Directorate. \$803 million is designated for this directorate, of which the budget provides \$583 million for "Research and Acquisition of Technology" and \$163 million for "Construction and Facilities." Within this total \$62 million would support University Programs: Emerging Threats, and Rapid Prototyping Program.

Information Analysis and Infrastructure Preparedness (IAIP) Directorate. \$829 million is designated for this directorate, including about \$500 million to assess the nation's critical infrastructure (such as nuclear power plants, water facilities, and telecommunications networks).

Vice President Jack Burns has established a task force on the Homeland Security initiative to secure funding opportunities for all four CU campuses. The Office of State and Federal Government Relations will work with President Hoffman, Dr. Burns, the Vice Chancellors of Research and faculty to identify Federal agency funding opportunities such as DOD, DOE, HHS, NIH, NSF, NASA, CDC, etc. During 2003, Vice President Burns and Assistant Vice President Kelly-Bowry traveled to Washington, DC, and met with several members of President Bush's Executive Branch to discuss Homeland Security Initiatives and NASA research issues.

## **Department of Education**

The President proposes \$14.519 billion for federal student assistance accounts in FY2004. This figure represents a 13.7 percent increase over the FY2003 budget request. The Department of Education estimates that this level of funding, combined with matching funds, would provide nearly 7.5 million awards totaling more than \$17 billion in available aid.

## **Department of Energy**

The President's FY2004 budget proposes \$3.311 billion for DOE's Office of Science programs, which is \$47 million, or 1.4 percent, more than requested in FY 2003.

## **National Endowment for the Humanities**

The President is requesting \$152 million for the National Endowment for the Humanities (NEH) in FY2004, an increase of \$25 million, or 19.7 percent, over the FY2003 request. The increase would support the "We the People" history initiative.

## **National Endowment for the Arts**

For the National Endowment for the Arts (NEA), the President is requesting \$117 million, the same level requested in FY2003.



## STATE AND FEDERAL GOVERNMENT RELATIONS HIGHLIGHTED HILL VISITS, TOURS, AND EVENTS

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### **Washington, DC advocacy visits in 2003:**

January: President Hoffman and Assistant Vice President Kelly-Bowry did Hill visits to meet Colorado's two new congressional members: Congressman Bob Beauprez of the 7<sup>th</sup> congressional district and Congresswoman Marilyn Musgrave of the 4<sup>th</sup> congressional district. Assistant Vice President Kelly-Bowry also did Hill visits with Dr. Uriel Nauenberg to discuss DOE funding and H.R. 34, the Energy and Science Research Investment Act.

February: President Hoffman and Assistant Vice President Kelly-Bowry did Hill visits to discuss federal funding priorities for CU.

May: Assistant Vice President Kelly-Bowry did various Hill and Executive branch visits with Vice President Burns, Chancellor Shockley, Chancellor Byyny and Dr. Ayen to discuss Cybersecurity, Homeland Security, and other issues.

Assistant Vice President Kelly-Bowry and Policy Specialist Lynne Lyons attended NASULGC, AAMC and AAU Federal Relations meetings to assist in advocacy on the higher education agenda.

### **Tours:**

During the state legislative session, the Office coordinated special tours of the State Capitol and meetings with legislators who spoke about the legislative process to the following CU and outside groups:

- ◆ Emerging Leaders Program
- ◆ Staff Council
- ◆ CU Boulder Music Group
- ◆ University Perspectives
- ◆ RWJ Fellows
- ◆ 50 for Colorado

The Office of State and Federal Government Relations also conducted over 25 in-state tours/meetings to all four CU campuses with our congressional members and/or their staff, as well as candidates for elected positions:

- ◆ Sen. Wayne Allard's staff: 5 meetings, including tours of UCCS, UCB, and Fitzsimons
- ◆ Sen. Ben Nighthorse Campbell: 1 meeting
- ◆ Sen. Ben Nighthorse Campbell's staff: 2 meetings
- ◆ Rep. Bob Beauprez: 2 meetings, and a tour of Fitzsimons
- ◆ Rep. Bob Beauprez's staff: 3 meetings, tour Fitzsimons
- ◆ Rep. Diana DeGette: 1 meeting
- ◆ Rep. Diana DeGette's staff: 3 meetings
- ◆ Rep. Joel Hefley: Tour UCCS
- ◆ Rep. Joel Hefley's staff: 1 meeting
- ◆ Rep. Scott McInnis' staff: 1 meeting
- ◆ Rep. Mark Udall: 1 meeting, and a tour of UCB
- ◆ Rep. Mark Udall's staff: 3 meetings, including tours of UCB, UCD, and Fitzsimons

**Events:**

In September 2002, over ten State Legislators joined Senator Ben Nighthorse Campbell, Senator Wayne Allard and Congressman Mark Udall at the Nighthorse Campbell Native Health Building opening at Fitzsimons.

Shortly after the fall 2002 elections, President Hoffman and the Office of State and Federal Government Relations hosted a 2003 Legislative Briefing to help educate Colorado's 25 new legislative officials and their staff about fiscal and higher education policy issues important to the state.

The Office of State and Federal Government Relations helped to coordinate and participated in Congressman Scott McInnis' *Power of One Women's Conference* in February 2003.

On February 11, 2003, President Hoffman and the CU Alumni Associations hosted the *2003 CU Legislative/Alumni Party* at the Samba Room in Denver. The event was a great success with over 60 legislators and over 300 alumni in attendance.

In February 2003, President Hoffman's office co-hosted the CU/CSU/UNC Legislative Reception.

In February 2003, the Office of State and Federal Government Relations office worked in partnership with Executive Vice Chancellor Dr. Jay Gershen to host Dr. Elias Zerhouni, Director of the National Institutes of Health, on a tour of Fitzsimons and a biotechnology roundtable for NIH Research Day.

In February 2003, President Hoffman, Assistant Vice President Kelly-Bowry, and Dr. James Hill participated in the Congressional Caucus Fitness Day in Washington, DC, at the request of Congressman Mark Udall.

On April 28, 2003, the Office of State and Federal Government Relations coordinated a bill signing ceremony at the University of Colorado Fitzsimons campus for House Bill 1256, which authorized the use of Certificates of Participation and \$202 million to build the remaining academic facilities at Fitzsimons.

In May 2003, the Office of State and Federal Government Relations participated in Senator Wayne Allard's *2003 Allard Capital Conference*. This event was co-sponsored by the University of Colorado in Washington, DC.

The state legislative *CU Smart Lunch* series continued in 2003 with four lunches highlighting our campuses. Members of the legislature and legislative staff attended the luncheons and President Hoffman gave a special presentation on the symbiotic relationship of government, industry, and academia.

In May 2003, the Office of State and Federal Government Relations organized University officials to speak at Congressman McInnis' rural outreach tour on garnering funding.

**State Outreach:**

In conjunction with President Hoffman, the office conducted several outreach trips around the State of Colorado and met with numerous legislators to discuss CU's legislative agenda.



## STATE AND FEDERAL GOVERNMENT RELATIONS CU AMBASSADORS PROGRAM

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Beginning in July 2003, the Office of State and Federal Government Relations will direct the CU Ambassadors program. CU Ambassadors are a group of Colorado residents who advocate on behalf of CU and higher education with the Colorado State Legislature. The group was formed in 2001. Participation in CU Ambassadors is strictly voluntary.

The primary goal of CU Ambassadors is to increase awareness and advocate for CU's interests among lawmakers. By influencing state legislative opinion, the program seeks to strengthen University of Colorado academic programs and support research in a way that benefits all Colorado citizens.

Through their participation in the program, Ambassadors receive:

- ◆ An invitation to attend an Ambassadors-only annual meeting with CU President Elizabeth Hoffman.
- ◆ Regular email communication including updates from President Hoffman, legislative updates and advance notice of CU outreach events.
- ◆ Legislative Calls to Action - during the legislative session, President Hoffman calls on Ambassadors to contact their legislators to advocate for action supporting the University or the interests of higher education.

During the 2003 state session, President Hoffman and the Office of State and Federal Government Relations asked CU's Ambassadors many times to contact their state elected officials. Over fifty individual Ambassadors responded with phone calls and emails to their state legislators, advocating on behalf of COP and Enterprise legislation for CU. Ambassadors also vociferously defended CU in the budget reduction process, helping President Hoffman and CU's lobbyists fend off large cuts to its FY2003 and FY2004 budgets.

The program proved to be a powerful legislative advocacy tool, and the Office of State and Federal Government Relations looks forward to increasing its effectiveness in upcoming sessions.

Special thanks to all our Ambassadors who made critical contacts with our elected officials this year.



**STATE AND FEDERAL GOVERNMENT RELATIONS**  
**THE OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS TEAM**

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**Tanya Kelly-Bowry**  
**Assistant Vice President**

Tanya Kelly-Bowry has served the University of Colorado for the past five years. As of July 2002, she has acted as CU's Director of State and Federal Government Relations before being promoted to Assistant Vice President. Previously, Ms. Kelly-Bowry was the University's Director of Federal Relations for two years. Prior to that, she was also Associate Director of State Legislative Relations at the CU Health Sciences Center campus for two years. Additionally, Ms. Kelly-Bowry worked for eight years as the Public Media Relations Director for the Colorado State Senate. Tanya Kelly-Bowry, who was raised in the San Luis Valley, is fluent in Spanish. An international affairs graduate of CU-Boulder, she received a master's in nonprofit management from Regis University on a fellowship.



**Stephannie Finley**  
**Deputy Director**

Stephannie Finley specifically represents University of Colorado at Boulder (UCB) and University of Colorado at Denver (UCD). She has served as the Deputy Director of the University of Colorado's State and Federal Government Relations since September 2002. Prior to coming to CU, Ms. Finley was the Assistant Director of the Colorado Department of Public Health and Environment, where she managed state and federal government interaction, and served as the Acting Director of the Office of Suicide Prevention. Between 1992 and 1999, Ms. Finley worked as Congressman McInnis's Chief of Staff in Washington, D.C. While working for McInnis, Ms. Finley founded and organized the Colorado "Power of One" conference for Denver-metro area women. Ms. Finley also worked for the White House in Presidential Advance during the early 90's, in addition to working for the Colorado House Majority Leader for six years.



**Hollie Stevenson**  
**Deputy Director**

Hollie Stevenson specifically represents the University of Colorado Health Sciences Center (UCHSC), University of Colorado Hospital (UCH), University of Colorado at Colorado Springs (UCCS), and budget issues for the CU System. Ms. Stevenson is a Denver native. She has a BS from Regis University and a JD from the University of Denver. Ms. Stevenson has worked in the office of public affairs at CU for three years. Prior to joining CU she worked at the Colorado Attorney General's office and the Coors Brewing Company. While she was with the Attorney General's office she represented Education, Medicaid, the Department of Public Health and Environment, and the Department of Human Services. Ms. Stevenson has also been involved in state politics in various capacities for many years.



**Kirsten Castleman**  
**Policy Specialist**

Kirsten Castleman conducts research and policy analysis and tracks legislation for State Relations, and on issues of higher education and international education/immigration at the federal level. She assists Deputy Director Finley in coordinating the Ambassadors program and facilitating communication and advocacy for the Boulder and Denver campuses. Additionally, Ms. Castleman responds to legislator, congressional, and constituent requests, and coordinates campus tours for congressional staff members.



**Lynne Lyons**  
**Policy Specialist**

Lynne Lyons conducts research and policy analysis and tracks legislation for Federal Relations on issues of budget, appropriations, bioterrorism, health, homeland security, intellectual property, and tax. She assists Vice President Kelly-Bowry on federal special projects for all four campuses. She also works on federal health policy rulemaking issues. Additionally, she assists Deputy Director Stevenson on state health policy issues. Ms. Lyons also responds to congressional and constituent requests, as well as coordinates campus tours for members of the United States Executive Branch, congressional members and their staff.



**Vicky Starbuck**  
**Professional Staff Assistant**

Vicky Starbuck is Professional Staff Assistant at the University of Colorado Health Sciences Center campus. She divides her time by providing administrative support to Chancellor James Shore and Hollie Stevenson, Deputy Director, State and Federal Government Relations. She also serves as the UCHSC campus Legislative Liaison. She maintains the healthcare legislative website and tracks healthcare bills. Ms. Starbuck responds to legislative and constituent requests, including physician referrals, as well as coordinates campus tours.



**Amanda Taylor**  
**Special Assistant to the Assistant Vice President**

Amanda Taylor is the Special Assistant to Assistant Vice President Tanya Kelly-Bowry. Her position covers most of the administrative details for the office, including: the Assistant Vice President's calendar and travel, Deputy Director Finley's calendar, coordination of office special events, including football, and inter-office budget management. Ms. Taylor also tracks federal science policy and assists in the coordination of campus tours for congressional members and state legislators.

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