

# STATE OF COLORADO

John W. Hickenlooper, Governor  
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Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

## NOTICE OF PUBLIC RULE-MAKING HEARING BEFORE THE COLORADO BOARD OF HEALTH

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on September 19, 2012, at the Pueblo City-County Health Department, 3<sup>rd</sup> Floor Conference Room, 101 West 9<sup>th</sup> St., Pueblo, CO. 81003, to consider the promulgation of Rule 5CCR 1005-2, Rules Pertaining To Testing For Alcohol And Other Drugs. The Board meeting commences in the morning. For the specific time this hearing is scheduled, please consult the meeting agenda on the Board's Web site at <http://www.cdphe.state.co.us/op/bh/index.html> on or after Friday, September 7, 2012, or call (303) 692-3464.

The purpose of this hearing is to receive public comments on amendments made to the current Rule 5CCR 1005-2. The proposed rules (amendments) are intended to align the minimum standards for certification and approval of entities and processes utilized for evidential breath alcohol testing using new instrumentation statewide. In addition, the amendments are intended to align the certification requirements for forensic toxicology laboratories performing alcohol and/or drug analysis for DUI/DUID purposes with current industry best practices.

The proposed rules have been developed by the Laboratory Services Division of the Colorado Department of Public Health and Environment pursuant to Section 42-4-1304(4), C.R.S. and Section 42-4-1301.1(5), C.R.S.

Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Laboratory Services Division, Certification Program, located at 8100 Lowry Blvd, Denver, CO 80230. The contact at CDPHE is Jeff Groff, Certification Program Manager, and he can be reached at (303) 692-3681 or by email at [jeff.groff@state.co.us](mailto:jeff.groff@state.co.us). The proposed amendments will also be available on the Board's Web site at <http://www.cdphe.state.co.us/op/bh/index.html> under "Notices of Upcoming Public Rulemaking Hearings and Draft Proposed Rules", or the CDPHE/LSD website [www.coloradoebat.us](http://www.coloradoebat.us)


The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing. At the discretion of the Chair, oral testimony at the hearing may be limited to five minutes or less depending on the number of persons wishing to comment.

**The Board requests submission of written materials no later than September 5, 2012 to allow the Board sufficient time to review the comments prior to the meeting.** Persons wishing to submit written comments or views should submit them to:

Colorado Board of Health  
ATTN: Jamie L. Thornton, Program Assistant  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South EDO-A5  
Denver, Colorado 80246-1530  
FAX: 303-691-7702, e-mail: [Jamie.thornton@state.co.us](mailto:Jamie.thornton@state.co.us)

The proposed revisions to be considered at the hearing, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the above address by any person at least five working days prior to the hearing.

Dated this 24 day of July 2012.

  
Christopher E. Urbina, MD, MPH  
Executive Director/Chief Medical Officer