An Act

HOUSE BILL 00-1305

BY REPRESENTATIVES Leyba, Clarke, Coleman, Gagliardi, Mace, Tapia, Tochtrop, Vigil, and Zimmerman;
also SENATOR Reeves.

CONCERNING THE QUALITY OF CARE INCENTIVE PAYMENT PROGRAM IN THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, AND, IN CONNECTION THEREWITH, EXTENDING THE QUALITY OF CARE INCENTIVE PROGRAM ADVISORY COMMITTEE AND REQUIRING AN ACCOUNTING OF PAYMENTS MADE UNDER THE PROGRAM.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 26-4-410 (2) (c.5) (VI), Colorado Revised Statutes, is amended, and the said 26-4-410 (2) (c.5) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

26-4-410. Providers - nursing facility - nursing facility patient program improvement fund - reimbursement - maximum allowable - quality of care incentive payment program - legislative declaration - repeal. (2) (c.5) (VI) (A) There is hereby created an advisory committee of nine persons to study and make recommendations to the state department on the appropriate method of measuring a "high level of quality care" for the purpose of making payments to providers under this paragraph (c.5). The committee shall be appointed by the executive director of the state

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Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

department and shall be composed of one representative from such department, two individuals who represent the interests of consumers, one representative of the state department of public health and environment, and one representative from the state long-term care ombudsman office. The remaining four members shall be selected from a list of nominees recommended by proprietary and nonproprietary facilities as follows: Two representatives from the long-term care facility association for proprietary facilities; and two representatives of the long-term care facility association for nonproprietary facilities. The committee members shall serve without compensation. Appointments shall be made for terms of two years. Vacancies that occur during any term shall be filled by the executive director for the remainder of such term.

(B) This subparagraph (VI) is repealed, effective July 1, ~~2000~~ 2010. Prior to said repeal, the advisory committee shall be reviewed as provided for in section 2-3-1203, C.R.S.

(VIII) INCENTIVE PAYMENTS ISSUED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH (c.5) SHALL BE SUBJECT TO RECOVERY BY THE STATE DEPARTMENT IF THE STATE DEPARTMENT OR ITS AGENT DETERMINES THAT THE RECIPIENT OF SUCH PAYMENTS FAILED TO SATISFACTORILY COMPLETE BY DECEMBER 31 OF EACH YEAR THE IMPLEMENTATION OR EVALUATION STAGES OF AN APPROVED PLAN REQUIRED UNDER THE RULES PROMULGATED PURSUANT TO THIS PARAGRAPH (c.5).

(IX) (A) THE STATE AUDITOR SHALL CONDUCT AN AUDIT OF THE PROCEDURES IMPLEMENTED BY THE STATE DEPARTMENT TO MONITOR THE FINANCIAL ACCOUNTABILITY OF THE PROGRAM ESTABLISHED IN THIS PARAGRAPH (c.5) AND, IN ACCORDANCE WITH SECTION 24-1-136 (9), C.R.S., SHALL SUBMIT A REPORT REGARDING SUCH AUDIT TO THE JOINT AUDIT COMMITTEE BEFORE DECEMBER 31, 2000.

(B) THIS SUBPARAGRAPH (IX) IS REPEALED, EFFECTIVE DECEMBER 31, 2000.

SECTION 2. 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(w) JULY 1, 2010: THE QUALITY OF CARE ADVISORY COMMITTEE, APPOINTED PURSUANT TO SECTION 26-4-410 (2) (c.5) (VI), C.R.S.

SECTION 3. Repeal. 2-3-1203 (3) (m) (IV), Colorado Revised Statutes, is repealed as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(m) July 1, 2000:

(IV) ~~The quality of care advisory committee, appointed pursuant to section 26-4-410 (2) (c.5) (VI), C.R.S.;~~

SECTION 4. Effective date. This act shall take effect July 1, 2000.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Russell George SPEAKER OF THE HOUSE OF REPRESENTATIVES	Ray Powers PRESIDENT OF THE SENATE
Judith M. Rodrigue CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Patricia K. Dicks SECRETARY OF THE SENATE

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO