

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 28, 2008

Date

Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

SB08-153 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 5, line 5, after the period, add "RISK SHOULD BE
- 2 EVALUATED BASED ON THE HOME CARE AGENCY'S COMPLIANCE HISTORY,
- 3 QUALITY PERFORMANCE MEASURES, AND OTHER RELEVANT FACTORS SET
- 4 FORTH IN RULES PROMULGATED BY THE STATE BOARD OF HEALTH."

- 5 Page 6, line 3, after "SKILLED", insert "HOME";

- 6 line 23, strike "HEALTH" and substitute "HOME HEALTH OR PERSONAL
- 7 CARE";

- 8 line 24, after "ANY", insert "OTHER".

- 9 Page 7, line 23, strike "SERVICE"" and substitute "SERVICES"";

- 10 line 27, strike "SERVICE;" and substitute "SERVICES;".

- 11 Page 8, line 8, strike "SERVICE"" and substitute "SERVICES"";

- 12 line 20, strike "JUNE" and substitute "JANUARY".

- 13 Page 10, line 11, strike "REIMBURSEMENT VERSUS THOSE" and substitute
- 14 "REIMBURSEMENT, PROVIDERS FOR THE PROGRAM OF ALL-INCLUSIVE CARE
- 15 FOR THE ELDERLY ESTABLISHED IN SECTION 25.5-5-412, PROVIDERS THAT
- 16 ARE ALREADY LICENSED UNDER THIS TITLE, AND PROVIDERS".

1 Page 11, line 6, strike "AND";
2 line 7, after "SHALL", insert "NOT EXCEED ONE THOUSAND FIVE HUNDRED
3 DOLLARS PER YEAR FOR TWO YEARS FROM THE EFFECTIVE DATE OF FEES
4 ESTABLISHED BY RULE FOR HOME CARE AGENCIES THAT ARE CERTIFIED
5 PROVIDERS THROUGH THE FEDERAL CENTERS FOR MEDICARE AND
6 MEDICAID SERVICES OR THE COLORADO DEPARTMENT OF HEALTH CARE
7 POLICY AND FINANCING. HOME CARE AGENCY FEES SHALL";

8 line 16, after the period, add "THE DEPARTMENT OF PUBLIC HEALTH AND
9 ENVIRONMENT SHALL NOT CHARGE A DUPLICATE FEE FOR SURVEY WORK
10 CONDUCTED PURSUANT TO ITS ROLE AS STATE SURVEY AGENCY FOR THE
11 FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES. NO LATER
12 THAN JANUARY 1, 2011, THE DEPARTMENT OF PUBLIC HEALTH AND
13 ENVIRONMENT SHALL ISSUE A REPORT DETAILING THE DIRECT AND
14 INDIRECT COSTS ASSOCIATED WITH THE ADMINISTRATION OF HOME CARE
15 AGENCY LICENSURE.

16 (h) REQUIREMENTS FOR ALL HOME CARE AGENCIES TO PROVIDE
17 EVIDENCE OF AND MAINTAIN EITHER COMMERCIAL PROFESSIONAL
18 LIABILITY INSURANCE COVERAGE OR A SURETY BOND IN LIEU OF
19 COMMERCIAL PROFESSIONAL LIABILITY INSURANCE COVERAGE, IN
20 AMOUNTS SET THROUGH RULES OF THE STATE BOARD.

21 (2) RULES PROMULGATED BY THE STATE BOARD ARE SUBJECT TO
22 JUDICIAL REVIEW IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
23 24-4-106, C.R.S."

24 Renumber succeeding subsection accordingly.

25 Page 11, line 24, strike "SERVICE" and substitute "SERVICES".

26 Page 12, strike lines 24 through 27 and substitute the following:

27 "THE DEPARTMENT SHALL DETERMINE AN APPLICANT'S COMPLIANCE WITH
28 THE RULES ADOPTED PURSUANT TO SECTION 25-27.5-104 BEFORE A
29 LICENSE IS ISSUED OR RENEWED. A CERTIFIED HOME CARE AGENCY THAT".

30 Page 13, line 3, strike "OTHER".

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