



**FINAL  
FISCAL NOTE**

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**Drafting Number:** LLS 08-0309**Date:** June 10, 2008**Prime Sponsor(s):** Sen. Boyd  
Rep. Riesberg**Bill Status:** Signed into Law**Fiscal Analyst:** Amy Larsen (303-866-3488)

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**TITLE:** CONCERNING THE MEDICAID FAMILY PLANNING PILOT PROGRAM.

### **Summary of Legislation**

This bill, as recommended by the Health Care Task Force, provides flexibility in the income eligibility level for the Family Planning Pilot Program. Currently, the income eligibility level is set in statute at 150 percent of the federal poverty level (FPL), but this bill allows the level to be established in the federal waiver sought for the program. In addition, the bill requires the Department of Health Care Policy and Financing to follow federal requirements relating to client free choice regarding providers.

The bill was signed by the Governor and became law on March 13, 2008.

### **Background**

According to the Kaiser Family Foundation, 26 states have sought and received federal permission to extend Medicaid eligibility for family planning services to individuals who are otherwise ineligible for Medicaid services. Services may include: patient counseling and education, examination and treatment by medical professionals, laboratory tests, contraception, and infertility services. States can design waivers using different approaches, but proposals must be budget neutral to the federal government over a five-year period. Programs receive 90 percent federal financial participation.

HB99-1373 established the Family Planning Pilot Program to provide family planning services to individuals who are categorically eligible for Medicaid and who are at or below 150 percent FPL. The department was required to seek a federal waiver for the program that would be cost-neutral to the General Fund. Once federal authorization was achieved, the department was to use the normal budget process to seek the necessary appropriation. While there were delays in seeking the required federal waiver for the program, the department expects to submit the waiver in January 2008. Federal approval of the waiver is expected to take about 18 months with implementation of the program in FY 2009-10.

**Assessment**

Should SB08-003 become law, the Department of Health Care Policy and Financing expects to increase the income eligibility for the family planning services waiver to 185 to 200 percent FPL. However, this will not result in additional costs because the program must remain budget-neutral based on current statute and federal guidelines. Thus, this bill is assessed as having no fiscal impact.

**Departments Contacted**

Health Care Policy and Financing

Public Health and Environment