

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

\_\_\_\_\_  
Date

Committee on Appropriations.

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

SB08-160 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Strike the Health and Human Services Committee Report, dated February  
2 28, 2008, and substitute the following:

3 "Amend printed bill, page 2, strike lines 2 through 22.

4 Page 3, strike lines 1 through 11.

5 Renumber succeeding sections accordingly.

6 Page 3, strike lines 23 through 27.

7 Page 4, strike lines 1 through 9 and substitute the following:

8 "SECTION 2. 25.5-8-103 (4) (b), Colorado Revised Statutes, is  
9 amended to read:

10 **25.5-8-103. Definitions.** As used in this article, unless the context  
11 otherwise requires:

12 (4) "Eligible person" means:

13 (b) A pregnant woman whose family income does not exceed two  
14 hundred ~~five~~ TWENTY-FIVE percent of the federal poverty level, adjusted  
15 for family size, and who is not eligible for medicaid; EXCEPT THAT,

1 SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT MAY  
2 INCREASE THE PERCENTAGE OF THE FEDERAL POVERTY LEVEL FOR  
3 PURPOSES OF ELIGIBILITY TO UP TO TWO HUNDRED FIFTY PERCENT.

4 **SECTION 3.** 25.5-8-105 (2), Colorado Revised Statutes, is  
5 amended to read:

6 **25.5-8-105. Trust and supplemental settlement moneys**  
7 **account - created.** (2) (a) Except as provided for in subsection (4) of  
8 this section, all or a portion of the moneys in the portion of the trust that  
9 is not the supplemental tobacco litigation settlement moneys account shall  
10 be annually appropriated by the general assembly for the purposes of this  
11 article and shall not be transferred to or revert to the general fund of the  
12 state at the end of any fiscal year.

13 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
14 THIS SUBSECTION (2), MONEYS IN THE PORTION OF THE TRUST THAT IS NOT  
15 THE SUPPLEMENTAL TOBACCO LITIGATION SETTLEMENT MONEYS ACCOUNT  
16 MAY BE USED TO PAY THE STATE'S PORTION OF ANY COMPUTER SYSTEM  
17 CHANGES NECESSARY TO EXPAND ELIGIBILITY IN THE PLAN.

18 **SECTION 4.** 25.5-8-107 (1) (a), Colorado Revised Statutes, is  
19 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

20 **25.5-8-107. Duties of the department - schedule of services -**  
21 **premiums - copayments - subsidies.** (1) In addition to any other duties  
22 pursuant to this article, the department shall have the following duties:

23 (a) (III) IN ADDITION TO THE ITEMS SPECIFIED IN SUBPARAGRAPHS  
24 (I) AND (II) OF THIS PARAGRAPH (a) AND ANY ADDITIONAL ITEMS  
25 APPROVED BY THE MEDICAL SERVICES BOARD, THE MEDICAL SERVICES  
26 BOARD SHALL INCLUDE MENTAL HEALTH SERVICES THAT ARE AT LEAST AS  
27 COMPREHENSIVE AS THE MENTAL HEALTH SERVICES PROVIDED TO  
28 MEDICAID RECIPIENTS IN THE SCHEDULE OF HEALTH CARE SERVICES.

29 **SECTION 5.** 25.5-8-109 (5) (a) (I), Colorado Revised Statutes,  
30 is amended to read:

31 **25.5-8-109. Eligibility - children - pregnant women.**  
32 (5) (a) (I) A pregnant woman whose family income ~~exceeds one hundred~~  
33 ~~thirty-three percent of the federal poverty level but~~ does not exceed two

1 ~~hundred five percent of the federal poverty level~~ THE APPLICABLE LEVEL  
2 SPECIFIED IN SECTION 25.5-8-103 (4) (b) shall be presumptively eligible  
3 for the plan. Once determined eligible for the plan, a pregnant woman  
4 shall be considered to be continuously eligible throughout the pregnancy  
5 and for the sixty days following the pregnancy, even if the woman's  
6 eligibility would otherwise terminate during such period due to an  
7 increase in income. Upon birth, a child born to a woman eligible for the  
8 plan shall be eligible for the plan and shall be automatically enrolled in  
9 the plan in accordance with the eligibility requirements for children  
10 specified in subsection (4) of this section.

11           **SECTION 6. Appropriation.** (1) In addition to any other  
12 appropriation, there is hereby appropriated, to the department of health  
13 care policy and financing, information technology contracts and projects,  
14 for information technology contracts, for the fiscal year beginning July 1,  
15 2008, the sum of sixty-four thousand three hundred eighty-six dollars  
16 (\$64,386) cash funds, or so much thereof as may be necessary, for the  
17 implementation of this act. Said sum shall be from the children's basic  
18 health plan trust fund created in section 25.5-8-105 (1), Colorado Revised  
19 Statutes. In addition to said appropriation, the general assembly  
20 anticipates that the department of health care policy and financing will  
21 receive one hundred nineteen thousand five hundred seventy-four dollars  
22 (\$119,574) federal funds in the fiscal year beginning July 1, 2008, for the  
23 implementation of this act. Although the federal funds are not  
24 appropriated in this act, they are noted for the purpose of indicating the  
25 assumptions used relative to these funds in developing state appropriation  
26 amounts.

27           (2) In addition to any other appropriation, there is hereby  
28 appropriated, to the department of health care policy and financing,  
29 indigent care program, for the children's basic health plan trust, for the  
30 fiscal year beginning July 1, 2008, the sum of thirty thousand three  
31 hundred twenty-eight dollars (\$30,328) cash funds, or so much thereof as  
32 may be necessary, for the implementation of this act. Said sum shall be  
33 from annual enrollment fees paid by families participating in the program.

34           (3) In addition to any other appropriation, there is hereby  
35 appropriated, to the department of health care policy and financing,  
36 indigent care program, for children's basic health plan administration,  
37 for the fiscal year beginning July 1, 2008, the sum of three hundred fifty-  
38 dollars (\$350) cash funds, or so much thereof as may be necessary, for the

1 implementation of this act. Said sum shall be from the children's basic  
2 health plan trust fund created in section 25.5-8-105 (1), Colorado Revised  
3 Statutes. In addition to said appropriation, the general assembly  
4 anticipates that the department of health care policy and financing will  
5 receive six hundred fifty dollars (\$650) federal funds in the fiscal year  
6 beginning July 1, 2008, for the implementation of this act. Although the  
7 federal funds are not appropriated in this act, they are noted for the  
8 purpose of indicating the assumptions used relative to these funds in  
9 developing state appropriation amounts.

10 (4) In addition to any other appropriation, there is hereby  
11 appropriated, to the department of health care policy and financing,  
12 indigent care program, for children's basic health plan premium costs, for  
13 the fiscal year beginning July 1, 2008, the sum of two million sixty-four  
14 thousand six hundred twenty-one dollars (\$2,064,621), or so much thereof  
15 as may be necessary, for the implementation of this act. Of said sum, one  
16 million five hundred seventy-seven thousand two hundred fifty-eight  
17 dollars (\$1,577,258) shall be from the children's basic health plan trust  
18 fund created in section 25.5-8-105 (1), Colorado Revised Statutes, four  
19 hundred fifty-seven thousand thirty-five dollars (\$457,035) shall be from  
20 the health care expansion fund created in section 24-22-117 (2) (a) (I),  
21 Colorado Revised Statutes, and thirty thousand three hundred twenty-  
22 eight dollars (\$30,328) shall be reappropriated funds from enrollment fees  
23 appropriated to the children's basic health plan trust fund created in  
24 section 25.5-8-105 (1), Colorado Revised Statutes. In addition to said  
25 appropriation, the general assembly anticipates that the department of  
26 health care policy and financing will receive three million seven hundred  
27 seventy-seven thousand nine hundred seventy-one dollars (\$3,777,971)  
28 federal funds in the fiscal year beginning July 1, 2008, for the  
29 implementation of this act. Although the federal funds are not  
30 appropriated in this act, they are noted for the purpose of indicating the  
31 assumptions used relative to these funds in developing state appropriation  
32 amounts.

33 (5) In addition to any other appropriation, there is hereby  
34 appropriated, to the department of health care policy and financing,  
35 indigent care program, for children's basic health plan dental costs, for the  
36 fiscal year beginning July 1, 2008, the sum of ninety-eight thousand eight  
37 hundred forty-five dollars (\$98,845) cash funds, or so much thereof as  
38 may be necessary, for the implementation of this act. Said sum shall be  
39 from the children's basic health plan trust fund created in section 25.5-8-

1 105 (1), Colorado Revised Statutes. In addition to said appropriation, the  
2 general assembly anticipates that the department of health care policy and  
3 financing will receive one hundred eighty-three thousand five hundred  
4 seventy dollars (\$183,570) federal funds in the fiscal year beginning July  
5 1, 2008, for the implementation of this act. Although the federal funds are  
6 not appropriated in this act, they are noted for the purpose of indicating  
7 the assumptions used relative to these funds in developing state  
8 appropriation amounts.

9 (6) In addition to any other appropriation, there is hereby  
10 appropriated, to the department of health care policy and financing,  
11 department of human services Medicaid-funded programs, office of  
12 information technology services - Medicaid funding, for the Colorado  
13 benefits management system, for the fiscal year beginning July 1, 2008,  
14 the sum of sixteen thousand eight hundred thirty-five dollars (\$16,835)  
15 cash funds, or so much thereof as may be necessary, for the  
16 implementation of this act. Said sum shall be from the children's basic  
17 health plan trust fund created in section 25.5-8-105 (1), Colorado Revised  
18 Statutes. In addition to said appropriations, the general assembly  
19 anticipates that the department of health care policy and financing will  
20 receive fifteen thousand thirty-one dollars (\$15,031) federal funds in the  
21 fiscal year beginning July 1, 2008, for the implementation of this act.  
22 Although the federal funds are not appropriated in this act, they are noted  
23 for the purpose of indicating the assumptions used relative to these funds  
24 in developing state appropriation amounts.

25 (7) In addition to any other appropriation, there is hereby  
26 appropriated, to the department of human services, for the Colorado  
27 benefits management system, for the fiscal year beginning July 1, 2008,  
28 the sum of fifty-three thousand six hundred forty-two dollars (\$53,642).  
29 Of said sum, twenty-one thousand seven hundred seventy-six dollars  
30 (\$21,776) shall be from the children's basic health plan trust fund created  
31 in section 25.5-8-105 (1), Colorado Revised Statutes, and thirty-one  
32 thousand eight hundred sixty-six dollars (\$31,866) shall be reappropriated  
33 funds transferred from the department of health care policy and financing.  
34 In addition to said appropriations, the general assembly anticipates that  
35 the department of human services will receive thirty-eight thousand one  
36 hundred sixty-four dollars (\$38,164) federal funds in the fiscal year  
37 beginning July 1, 2008, for the implementation of this act. Although the  
38 federal funds are not appropriated in this act, they are noted for the  
39 purpose of indicating the assumptions used relative to these funds in

1 developing state appropriation amounts.

2           **SECTION 7. Effective date.** (1) This act shall take effect upon  
3 passage; except that:

4           (a) Section 3 of this act shall take effect on January 1, 2009;

5           (b) Section 1 of this act shall take effect on March 1, 2009; and

6           (c) Sections 2 and 4 of this act shall take effect on October 1,  
7 2009."

8 Renumber succeeding section accordingly."

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