

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0566.01 Debbie Haskins x2045

HOUSE BILL 12-1054

HOUSE SPONSORSHIP

Fields, Summers

SENATE SPONSORSHIP

(None),

House Committees
Health and Environment

Senate Committees

A BILL FOR AN ACT

101 CONCERNING SIMPLIFICATION OF THE PROCUREMENT PROCESS FOR
102 PROVIDERS WHO HAVE PREVIOUSLY BEEN APPROVED TO
103 PARTICIPATE IN HEALTH CARE PROGRAMS ADMINISTERED BY
104 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill simplifies the procurement process by exempting the department of health care policy and financing (department) and a health

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

care provider from certain state fiscal rule requirements concerning standard state contracts and commitment vouchers when the department has regulatory authority over the program and when the provider has already signed a department-approved provider application to provide services under department-administered programs or to bill for services provided under those programs.

Applicable programs include medicaid, the children's basic health plan, the Colorado indigent care program, the school health services program, services funded by the primary care fund, and the health and medical care program for old age pensioners. Eligible providers include health care providers, mental health care providers, pharmacists, home health agencies, and other providers authorized under the applicable department-administered programs who provide health care, health care coordination, or outreach, enrollment, or administrative support services.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25.5-1-128 as
3 follows:

4 **25.5-1-128. Provider payments - exemption from certain state**
5 **fiscal requirements - definitions - rules.** (1) (a) NOTWITHSTANDING
6 ANY PROVISION OF LAW TO THE CONTRARY, WHEN THE STATE
7 DEPARTMENT HAS REGULATORY AUTHORITY OVER A PROGRAM AND WHEN
8 THE PROVIDER HAS ALREADY SIGNED A STATE DEPARTMENT-APPROVED
9 PROVIDER APPLICATION TO PROVIDE A SERVICE OR TO BILL THE STATE
10 DEPARTMENT OR ITS AUTHORIZED CONTRACTOR FOR A SERVICE, THE
11 PROVIDER AND THE STATE DEPARTMENT ARE EXEMPT FROM THE STATE
12 FISCAL REQUIREMENTS OF SECTION 24-30-202 (1), C.R.S.

13 (b) THE EXECUTIVE DIRECTOR MAY PROMULGATE RULES TO
14 EXEMPT A PROGRAM AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION
15 (1) FOR ANY PROGRAM THE STATE DEPARTMENT IS AUTHORIZED BY LAW
16 TO ADMINISTER, INCLUDING BUT NOT LIMITED TO:

17 (I) THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4 TO

1 6 OF THIS TITLE;

2 (II) THE "CHILDREN'S BASIC HEALTH PLAN ACT", ARTICLE 8 OF
3 THIS TITLE;

4 (III) THE "COLORADO INDIGENT CARE PROGRAM", PART 1 OF
5 ARTICLE 3 OF THIS TITLE;

6 (IV) THE SCHOOL HEALTH SERVICES PROGRAM AUTHORIZED BY
7 SECTION 25.5-5-318;

8 (V) PROGRAMS THAT ARE FUNDED THROUGH THE PRIMARY CARE
9 FUND, CREATED IN SECTION 24-22-117 (2) (b), C.R.S.; AND

10 (VI) THE STATE-FUNDED OLD AGE PENSION HEALTH AND MEDICAL
11 CARE PROGRAM PURSUANT TO ARTICLE 2 OF THIS TITLE.

12 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 PROVIDES, "PROVIDER" MEANS A HEALTH CARE PROVIDER, A MENTAL
14 HEALTH CARE PROVIDER, A PHARMACIST, A HOME HEALTH AGENCY, A
15 GENERAL PROVIDER AS DEFINED IN SECTION 25.5-3-103 (3), SCHOOL
16 DISTRICT AS DEFINED IN SECTION 25.5-5-318 (1) (a), OR ANY OTHER
17 ENTITY THAT PROVIDES HEALTH CARE, HEALTH CARE COORDINATION,
18 OUTREACH, ENROLLMENT, OR ADMINISTRATIVE SUPPORT SERVICES
19 THROUGH FEE-FOR-SERVICE, THE PRIMARY CARE PHYSICIAN PROGRAM, A
20 MANAGED CARE ENTITY, A BEHAVIORAL HEALTH ORGANIZATION, A
21 MEDICAL HOME, OR ANY SYSTEM OF CARE THAT COORDINATES HEALTH
22 CARE OR SERVICES AS DEFINED AND AUTHORIZED THROUGH RULES
23 PROMULGATED BY THE STATE BOARD OR BY THE EXECUTIVE DIRECTOR.

24 **SECTION 2. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.