

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 12-0566.01 Debbie Haskins x2045

**HOUSE BILL 12-1054**

---

**HOUSE SPONSORSHIP**

**Fields,** Summers

**SENATE SPONSORSHIP**

**Boyd,**

---

**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.*

HOUSE  
Am ended 2nd Reading  
January 27, 2012

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 - compliance with state fiscal**  
5 **requirements - definitions - rules.** (1) (a) NOTWITHSTANDING ANY  
6 PROVISION OF LAW TO THE CONTRARY, WHEN THE STATE DEPARTMENT HAS  
7 REGULATORY AUTHORITY OVER A PROGRAM AND WHEN THE PROVIDER  
8 HAS ALREADY SIGNED A STATE DEPARTMENT-APPROVED PROVIDER  
9 APPLICATION TO PROVIDE A SERVICE OR TO BILL THE STATE DEPARTMENT  
10 OR ITS AUTHORIZED CONTRACTOR FOR A SERVICE, THE STATE  
11 DEPARTMENT-APPROVED PROVIDER APPLICATION SHALL SERVE TO FULFILL  
12 THE REQUIREMENTS OF A COMMITMENT VOUCHER AND THE FISCAL  
13 REQUIREMENTS OF SECTION 24-30-202 (1), C.R.S.

14 (b) THE EXECUTIVE DIRECTOR MAY PROMULGATE RULES TO  
15 EXEMPT A PROVIDER WHO PROVIDES SERVICES THROUGH A PROGRAM AS  
16 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1) FOR ANY PROGRAM  
17 THE STATE DEPARTMENT IS AUTHORIZED BY LAW TO ADMINISTER,

1 INCLUDING BUT NOT LIMITED TO:

2 (I) THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4 TO  
3 6 OF THIS TITLE;

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

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

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

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

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

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

27 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.