

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REVISED

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

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
Health and Human Services

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.

SENATE
2nd Reading Unam ended
February 28, 2012

HOUSE
3rd Reading Unam ended
January 30, 2012

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.