

HB1028\_L.001

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Health and Human Services.

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

HB09-1028 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute the following:

3           **"SECTION 1. Legislative declaration.** The general assembly  
4 hereby finds and declares that Colorado has limited economic resources  
5 available to meet the significant need for medical services that exists in  
6 communities within the state. Accordingly, state-funded health care  
7 programs should be monitored to ensure that quality care is being  
8 provided and resources are not lost to waste, fraud, neglect, indifference,  
9 or abuse. The general assembly further finds that, by allowing a health  
10 care provider or network of providers to create an accountability system  
11 to review grievances submitted by medically indigent persons receiving  
12 services through the Colorado indigent care program, the state may better  
13 monitor the intended care that providers have a duty to provide under the  
14 program and that has been paid for with taxpayers' money. Moreover,  
15 medically indigent persons receiving care under the program should have  
16 a voice in helping to ensure that the program is providing the type of  
17 medical care and the quality of medical care that the program is intended  
18 to provide.

19           **SECTION 2.** 25.5-3-205 (2), Colorado Revised Statutes, is  
20 amended, and the said 25.5-3-205 is further amended BY THE  
21 ADDITION OF A NEW SUBSECTION, to read:

22           **25.5-3-205. Grant-making process.** (2) Service grants awarded  
23 to qualified providers shall be used by such providers only to:



1 (a) Increase access to comprehensive primary care services for  
2 uninsured or medically indigent patients who are served by such  
3 providers;

4 (b) Create new services or augment existing services provided to  
5 uninsured or medically indigent patients; or

6 (c) Establish new sites that offer comprehensive primary care  
7 services in medically underserved areas of the state or to medically  
8 underserved populations; OR

9 (d) ESTABLISH AN ACCOUNTABILITY BOARD PURSUANT TO  
10 SUBSECTION (2.5) OF THIS SECTION TO REVIEW GRIEVANCES FROM  
11 UNINSURED OR MEDICALLY INDIGENT PATIENTS WHO ARE SERVED BY SUCH  
12 PROVIDERS THROUGH THE COLORADO INDIGENT CARE PROGRAM  
13 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE.

14 (2.5)(a) A QUALIFIED PROVIDER, GROUP OF QUALIFIED PROVIDERS,  
15 OR A STATEWIDE ASSOCIATION THAT REPRESENTS QUALIFIED PROVIDERS  
16 MAY SUBMIT A GRANT APPLICATION PURSUANT TO SUBSECTION (1) OF THIS  
17 SECTION FOR THE AWARD OF A SERVICE GRANT TO ESTABLISH AN  
18 ACCOUNTABILITY BOARD TO REVIEW AND RESOLVE GRIEVANCES  
19 SUBMITTED BY UNINSURED OR MEDICALLY INDIGENT PATIENTS WHO  
20 RECEIVE CARE THROUGH THE COLORADO INDIGENT CARE PROGRAM  
21 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE.

22 (b) THE GRANT APPLICATION SHALL INCLUDE, BUT NEED NOT BE  
23 LIMITED TO:

24 (I) AN OUTLINE OF THE STRUCTURE OF THE ACCOUNTABILITY  
25 BOARD, WHICH BOARD SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE  
26 FOLLOWING MEMBERS:

27 (A) A CONSUMER OF MEDICAL SERVICES WHO, AT THE TIME OF HIS  
28 OR HER APPOINTMENT TO THE ACCOUNTABILITY BOARD, HAS RECEIVED  
29 SERVICES THROUGH THE COLORADO INDIGENT CARE PROGRAM  
30 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE WITHIN THE  
31 PRECEDING THIRTY-SIX MONTHS;

32 (B) AN ADVOCATE FOR THE UNINSURED OR MEDICALLY INDIGENT;

1 AND

2 (C) A LICENSED HEALTH CARE PROFESSIONAL;

3 (II) A DETAILED DESCRIPTION OF THE PROCESS FOR THE  
4 SUBMISSION, SELECTION, REVIEW, AND RESOLUTION OF GRIEVANCES BY  
5 THE ACCOUNTABILITY BOARD; AND

6 (III) THE PROVISIONS FOR MAINTAINING ETHICAL STANDARDS,  
7 INCLUDING BUT NOT LIMITED TO STANDARDS RELATING TO CLIENT  
8 PRIVACY AND CONFLICT OF INTEREST CONCERNS.

9 (c) A GRANT RECIPIENT AWARDED A GRANT TO ESTABLISH AN  
10 ACCOUNTABILITY BOARD PURSUANT TO THIS SUBSECTION (2.5) SHALL  
11 MAKE RECOMMENDATIONS TO THE STATE DEPARTMENT REGARDING  
12 METHODS FOR IMPROVING THE COLORADO INDIGENT CARE PROGRAM  
13 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE TO REDUCE  
14 GRIEVANCES BY UNINSURED OR MEDICALLY INDIGENT PATIENTS.

15 **SECTION 3.** 25.5-3-108, Colorado Revised Statutes, is amended  
16 BY THE ADDITION OF A NEW SUBSECTION to read:

17 **25.5-3-108. Responsibility of the department of health care**  
18 **policy and financing - provider reimbursement.** (17) THE STATE  
19 DEPARTMENT SHALL ESTABLISH ANY PROCEDURES NECESSARY TO  
20 COORDINATE WITH AN ACCOUNTABILITY BOARD ESTABLISHED PURSUANT  
21 TO SECTION 25.5-3-205 (2) (d).

22 **SECTION 4. Act subject to petition - effective date.** This act  
23 shall take effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly that is  
25 allowed for submitting a referendum petition pursuant to article V,  
26 section 1 (3) of the state constitution, (August 4, 2009, if adjournment  
27 sine die is on May 6, 2009); except that, if a referendum petition is filed  
28 against this act or an item, section, or part of this act within such period,  
29 then the act, item, section, or part, if approved by the people, shall take  
30 effect on the date of the official declaration of the vote thereon by  
31 proclamation of the governor."

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