

HB1196_L.004

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Health and Human Services.

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

HB09-1196 be amended as follows:

1 Amend reengrossed bill, page 2, line 11, strike "CREATED IN" and
2 substitute "AUTHORIZED BY".

3 Page 7, strike lines 17 and 18 and substitute the following:

4 "THIS SUBSECTION (4):".

5 Page 8, after line 11, insert the following:

6 "(IV) IN DETERMINING HOW TO ALLOCATE THE MONEYS
7 AUTHORIZED TO BE DISTRIBUTED PURSUANT TO THIS PARAGRAPH (d), THE
8 DEPARTMENTS SHALL TAKE INTO CONSIDERATION THE RECOMMENDATIONS
9 OF THE ACCOUNTABILITY BOARD MADE PURSUANT TO PARAGRAPH (c) OF
10 SUBSECTION (6) OF THIS SECTION. IF THE DEPARTMENTS DISAGREE WITH
11 THE RECOMMENDATIONS OF THE ACCOUNTABILITY BOARD, THEY SHALL
12 MEET WITH THE ACCOUNTABILITY BOARD TO EXPLAIN THEIR RATIONALE
13 AND SHALL SEEK TO ACHIEVE A COMPROMISE WITH THE ACCOUNTABILITY
14 BOARD REGARDING THE ALLOCATION OF THE MONEYS. IF A COMPROMISE
15 CANNOT BE ACHIEVED WITH REGARD TO ALL OR A PORTION OF THE
16 MONEYS TO BE DISTRIBUTED, THE MEDICAL SERVICES BOARD CREATED
17 PURSUANT TO SECTION 25.5-1-301, C.R.S., SHALL HAVE THE FINAL
18 AUTHORITY REGARDING THE DISTRIBUTION OF MONEYS FOR WHICH A
19 COMPROMISE HAS NOT BEEN REACHED.";

20 strike line 17 and substitute the following:



1 "ORGANIZATION; EXCEPT THAT UP TO TEN PERCENT OF THE MONEYS
2 DISTRIBUTED PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (4) MAY
3 BE USED TO PAY THE COST TO ADMINISTER AND OPERATE THE
4 ACCOUNTABILITY BOARD, INCLUDING EXPENSE REIMBURSEMENT FOR
5 ACCOUNTABILITY BOARD MEMBERS.";

6 strike lines 19 through 22 and substitute the following:

7 "(6) (a) NO LATER THAN SEPTEMBER 1, 2009, THE NURSING
8 FACILITY CULTURE CHANGE ACCOUNTABILITY BOARD SHALL BE
9 ESTABLISHED AND OPERATED UNDER THE DEPARTMENT OF HEALTH CARE
10 POLICY AND FINANCING EITHER DIRECTLY OR BY CONTRACT WITH OR
11 GRANT TO ANY PUBLIC AGENCY OR APPROPRIATE PRIVATE NONPROFIT
12 ORGANIZATION. THE DEPARTMENT OF HEALTH CARE POLICY AND
13 FINANCING, IN CONSULTATION WITH STAKEHOLDERS, SHALL DETERMINE
14 THE APPROPRIATE ENTITY TO ADMINISTER THE ACCOUNTABILITY BOARD.
15 THE";

16 line 23, strike "NINE" and substitute "TEN".

17 Page 9, line 4, strike "SIX" and substitute "SEVEN";

18 after line 8, insert the following:

19 "(C) ONE MEMBER REPRESENTING THE DISABILITY COMMUNITY
20 WHO IS EITHER A RESIDENT OF A NURSING FACILITY OR A FAMILY MEMBER
21 OF A NURSING FACILITY RESIDENT;"

22 Reletter succeeding sub-subparagraphs accordingly.

23 Page 11, strike lines 5 through 14 and substitute the following:

24 "**SECTION 4. 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.".

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