

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 18, 2009
Date

Committee on Business Affairs and Labor.

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

HB09-1273 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, after line 5, insert the following:

2 "(e) THE FUNDAMENTAL PARTICIPANT IN HEALTH CARE
3 TRANSACTIONS IS THE INDIVIDUAL AND THE FUNDAMENTAL RELATIONSHIP
4 IS BETWEEN THE INDIVIDUAL AND HIS OR HER HEALTH CARE PROVIDER;

5 (f) HEALTH CARE SERVICES SHOULD BE PROVIDED TO AN
6 INDIVIDUAL WITH LIMITED AND EFFICIENT OUTSIDE INTERVENTION AND
7 MAXIMUM TRANSPARENCY;"

8 Reletter succeeding paragraphs accordingly.

9 Page 3, after line 9, insert the following:

10 "(h) THERE SHOULD BE NO REQUIRED CONNECTION BETWEEN
11 HEALTH CARE AND EMPLOYMENT;"

12 Reletter succeeding paragraph accordingly.

13 Page 3, line 12, after "IS", insert "PRIMARILY";

14 after line 21, insert the following:

15 "(4) "MEDICAL HOME" MEANS AN APPROPRIATELY QUALIFIED

1 MEDICAL SPECIALTY, DEVELOPMENTAL, THERAPEUTIC, OR MENTAL
2 HEALTH CARE PRACTICE THAT VERIFIABLY ENSURES CONTINUOUS,
3 ACCESSIBLE, AND COMPREHENSIVE ACCESS TO A COORDINATION OF
4 COMMUNITY-BASED MEDICAL CARE, MENTAL HEALTH CARE, ORAL HEALTH
5 CARE, AND RELATED SERVICES FOR THE CONSUMER. A MEDICAL HOME
6 SHALL ENSURE, AT A MINIMUM, THE FOLLOWING:

7 (a) HEALTH MAINTENANCE AND PREVENTATIVE CARE;

8 (b) ANTICIPATORY GUIDANCE AND HEALTH EDUCATION;

9 (c) ACUTE AND CHRONIC ILLNESS CARE;

10 (d) COORDINATION OF MEDICATIONS, SPECIALISTS, AND
11 THERAPIES; AND

12 (e) PROVIDER PARTICIPATION IN HOSPITAL CARE."

13 Renumber succeeding subsection accordingly.

14 Page 4, strike lines 17 and 18 and substitute the following:

15 "(1) THE BOARD SHALL CREATE AND DESIGN THE HEALTH CARE SYSTEM
16 FOR COLORADO IN COLLABORATION WITH PARTIES THAT MAY BE
17 AFFECTED BY THE DESIGN AND IMPLEMENTATION OF THE SYSTEM. IN
18 CREATING AND DESIGNING THE SYSTEM, THE BOARD SHALL NOT BE
19 LIMITED IN MAKING RECOMMENDATIONS REGARDING THE ELEMENTS OF
20 THE SYSTEM, BUT SHALL AT LEAST MAKE RECOMMENDATIONS
21 CONCERNING THE FOLLOWING ELEMENTS:

22 (a) THE MEMBERSHIP OF A BOARD OF DIRECTORS TO GOVERN THE
23 AUTHORITY ONCE THE SYSTEM IS ESTABLISHED;"

24 Reletter succeeding paragraphs accordingly.

25 Page 4, line 21, strike "PARTICIPANTS;" and substitute "PARTICIPANTS
26 BASED ON PATIENT NEED AND WITHOUT DELAY OR DISCRIMINATION;"

27 Page 5, line 9, after "PHYSICIAN", insert "OR LICENSED ADVANCED
28 PRACTICE NURSE";

1 strike line 10 and substitute the following:

2 "PARTICIPANT AND SERVE AS THE PARTICIPANT'S MEDICAL HOME;"

3 strike lines 13 through 19 and substitute the following:

4 "(h) THE DEVELOPMENT OF INFORMATION TECHNOLOGY
5 SPECIFICATIONS FOR:

6 (I) CLEARLY DEFINED STANDARDS FOR A CONFIDENTIAL,
7 ELECTRONIC PATIENT RECORDS SYSTEM AND ELECTRONIC PERSONAL
8 HEALTH RECORDS TO MAINTAIN ACCURATE PATIENT RECORDS AND TO
9 SIMPLIFY THE BILLING PROCESS, THEREBY REDUCING MEDICAL ERRORS
10 AND ADMINISTRATIVE COSTS;

11 (II) AN AUTOMATED METHOD FOR CLAIMS PROCESSING, BILLING,
12 AND PAYMENT; AND";

13 (III) PROVISIONS FOR STATEWIDE AND REGIONAL COLLECTION";

14 after line 21, insert the following:

15 "(i) ESTABLISHING MECHANISMS FOR THE USE OF CLINICAL DATA
16 COLLECTED UNDER SUBPARAGRAPH (III) OF PARAGRAPH (h) OF THIS
17 SUBSECTION (1) TO ESTABLISH STANDARDS FOR BEST PRACTICES THROUGH
18 THE APPLICATION OF EVIDENCE-BASED MEDICINE;"

19 Reletter succeeding paragraphs accordingly.

20 Page 6, line 1, strike "EQUIPMENT;" and substitute "EQUIPMENT WHERE
21 APPROPRIATE;"

22 line 7, strike "INCLUDES" and substitute "CONSIDERS";

23 line 8, strike "DUE TO REDUCED";

24 strike lines 9 through 11 and substitute the following:

25 "BY THE IMPLEMENTATION OF THE SYSTEM;"

26 Page 7, line 25, strike "(2)" and substitute "(3)".

1 after line 25, insert the following:

2 "(4) THE BOARD SHALL ENSURE THAT THE HEALTH BENEFIT PLAN
3 OFFERED PURSUANT TO THE SYSTEM DOES NOT CAUSE HARM TO PERSONS
4 ELIGIBLE FOR BENEFITS PURSUANT TO THE "COLORADO MEDICAL
5 ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF THIS TITLE."

6 Page 10, line 11, strike "OF FIVE HUNDRED DOLLARS".

7 Page 11, line 20, strike "CARE;" and substitute "CARE, INCLUDING
8 COMMUNITY-BASED AND CONSUMER-DIRECTED SERVICES;"

9 after line 24, insert the following:

10 "(l) REPRODUCTIVE HEALTH CARE SERVICES;

11 (m) OCCUPATIONAL AND PHYSICAL THERAPY SERVICES;"

12 Reletter succeeding paragraphs accordingly.

13 Page 12, strike lines 2 through 20 and substitute the following:

14 "COLORADO THAT SHALL BE COORDINATED WITH OTHER PUBLIC HEALTH
15 EFFORTS AND MAY BE COORDINATED WITH PUBLIC HEALTH OFFICIALS,
16 AGENCIES, AND ORGANIZATIONS.

17 **25.5-9-109. Gifts, grants, and donations - federal grant**
18 **moneys.** THE BOARD IS AUTHORIZED TO SEEK GIFTS, GRANTS, AND
19 DONATIONS AND FEDERAL GRANT MONEYS FOR THE PURPOSES OF
20 IMPLEMENTING THIS ARTICLE. MONEYS RECEIVED BY THE BOARD SHALL
21 BE TRANSFERRED DIRECTLY TO THE AUTHORITY FOR THE PURPOSES OF THIS
22 ARTICLE. NO MONEYS FROM THE GENERAL FUND SHALL BE USED FOR THE
23 IMPLEMENTATION OF THIS ARTICLE.";

24 line 22, after "SHALL", insert "SEEK INPUT FROM AND COLLABORATE WITH
25 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO".

26 Page 13, strike lines 2 through 18 and substitute the following:

27 **"25.5-9-111. Requirements for implementation of the system**
28 **- repeal.** (1) SECTIONS 25.5-9-101, 25.5-9-102, 25.5-9-103, 25.5-9-104,

1 25.5-9-105, 25.5-9-107, 25.5-9-109, AND THIS SECTION SHALL TAKE
2 EFFECT UPON THE ENACTMENT OF THIS ARTICLE.

3 (2) SECTIONS 25.5-9-106, 25.5-9-108, AND 25.5-9-110 SHALL NOT
4 TAKE EFFECT UNTIL THE BOARD IDENTIFIES AND GUARANTEES THAT
5 SUFFICIENT GIFTS, GRANTS, AND DONATIONS HAVE BEEN RECEIVED TO
6 PLAN AND DEVELOP THE SYSTEM IN ACCORDANCE WITH SAID SECTIONS.
7 UPON IDENTIFICATION AND GUARANTEE THAT THE BOARD HAS RECEIVED
8 SUFFICIENT MONEYS TO IMPLEMENT SAID SECTIONS, THE BOARD SHALL
9 NOTIFY THE REVISOR OF STATUTES, IN WRITING, OF THE EFFECTIVE DATE
10 OF SAID SECTIONS. IF SUFFICIENT GIFTS, GRANTS, AND DONATIONS ARE
11 NOT IDENTIFIED AND GUARANTEED ON OR BEFORE JULY 1, 2011, SAID
12 SECTIONS SHALL NOT TAKE EFFECT, AND THIS ARTICLE IS REPEALED,
13 EFFECTIVE JULY 1, 2011.

14 (3) IF SECTIONS 25.5-9-106, 25.5-9-108, AND 25.5-9-110 ARE
15 IMPLEMENTED AND THE PLAN FOR THE SYSTEM IS DEVELOPED AND
16 CREATED, THE SYSTEM SHALL NOT BE IMPLEMENTED UNTIL:

17 (a) ALL NECESSARY WAIVERS, EXEMPTIONS, AND AGREEMENTS
18 ARE IN PLACE TO EFFECTIVELY IMPLEMENT THE SYSTEM; AND

19 (b) THE GENERAL ASSEMBLY APPROVES THE IMPLEMENTATION OF
20 THE SYSTEM BY BILL."

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