

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 5, 2009
Date

Committee on Health and Human Services.

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

HB09-1028 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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:

1 **25.5-3-205. Grant-making process.** (2) Service grants awarded
2 to qualified providers shall be used by such providers only to:

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

6 (b) Create new services or augment existing services provided to
7 uninsured or medically indigent patients; ~~or~~

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

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

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

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

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

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

1 (B) AN ADVOCATE FOR THE UNINSURED OR MEDICALLY INDIGENT;
2 AND

3 (C) A LICENSED HEALTH CARE PROFESSIONAL;

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

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

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

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

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

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

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