

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

March 3, 2010  
Date

Committee on Health and Human Services.

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

SB10-002 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, line 8, strike "establishing and operating an  
2 ombudsman for" and substitute "providing assistance to".

3 Page 3, line 10, after "children" insert "and providing assistance to those  
4 families in filing appeals of denials from third-party insurance carriers".

5 Page 6, line 20, after the period add "NOTHING IN THIS PARAGRAPH (b)  
6 SHALL BE INTERPRETED TO REQUIRE THE STATE DEPARTMENT OR THE  
7 INDEPENDENT CONTRACT RETAINED PURSUANT TO SECTION 25.5-4-209 (3)  
8 (b) TO APPEAL EVERY DENIAL OF BENEFITS.

9 (c) AN APPLICANT FOR MEDICAL BENEFITS UPON INITIAL  
10 APPLICATION AND EACH REDETERMINATION SHALL DISCLOSE ANY THIRD  
11 PARTY WHO MAY BE RESPONSIBLE FOR THE PAYMENT OF MEDICAL  
12 EXPENSES ON BEHALF OF THE APPLICANT OR ANY OTHER MEMBER OF THE  
13 APPLICANT'S FAMILY FOR WHOM APPLICATION IS MADE. AS PART OF ITS  
14 MEDICAID ELIGIBILITY MODERNIZATION, THE STATE DEPARTMENT SHALL  
15 REQUIRE THE COUNTY DEPARTMENT OR OTHER ENTITY DESIGNATED TO  
16 ACCEPT APPLICATIONS FOR MEDICAL BENEFITS TO ENTER THE  
17 THIRD-PARTY INFORMATION INTO THE AUTOMATED SYSTEM DEVELOPED  
18 PURSUANT TO SECTION 25.5-4-204."

19 Page 7, strike lines 13 through 27 and substitute:

1           "(e) AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (e) AND  
2 PRIOR TO THE STATE DEPARTMENT ENTERING INTO A NEW AGREEMENT OR  
3 RENEWING AN AGREEMENT PURSUANT TO PARAGRAPH (b) OF THIS  
4 SUBSECTION (3), THE STATE DEPARTMENT SHALL EXAMINE THE  
5 FEASIBILITY OF REQUIRING THE INDEPENDENT CONTRACTOR TO DEVELOP  
6 AN ADDITIONAL PROCESS TO IDENTIFY REASONS FOR DENIALS FOR WHICH  
7 AN APPEAL SHOULD BE CONSIDERED AND TO PRIORITIZE APPEALS OF  
8 DENIALS BASED UPON THE REASONS FOR THE DENIAL TO INCREASE AND  
9 SPEED RECOVERIES FROM THIRD PARTIES. IF THE STATE DEPARTMENT  
10 DETERMINES THAT IT IS IN THE STATE'S BEST INTEREST, THE STATE  
11 DEPARTMENT IS AUTHORIZED TO ADD THIS PROCESS TO THE  
12 REQUIREMENTS FOR AN AGREEMENT PURSUANT TO PARAGRAPH (b) OF THIS  
13 SUBSECTION (3). IF THE STATE DEPARTMENT ADDS THIS PROCESS, THE  
14 LIMIT ON COMPENSATION PAID TO THE CONTRACTING AGENT PURSUANT TO  
15 SECTION 25.5-4-301 (3) (b) (I) SHALL NOT APPLY."

16 Page 8, strike lines 1 through 9.

17 Page 8, line 14, strike "ESTABLISHMENT OF THE OMBUDSMAN SERVICES"  
18 and substitute "ADDITIONAL ASSISTANCE PROVIDED TO FAMILIES".

19 Page 8, line 16, strike "OMBUDSMAN SERVICES" and substitute  
20 "ADDITIONAL ASSISTANCE PROVIDED TO FAMILIES".

21 Page 8, line 22, strike "**ombudsman.**" and substitute "**additional**  
22 **assistance to families.**" and strike "SHALL" and substitute "IS  
23 ENCOURAGED AND AUTHORIZED TO".

24 Page 8, line 23, strike "TO PROVIDE OMBUDSMAN SERVICES".

25 Page 1, line 103, strike "ESTABLISHING A LONG-TERM" and substitute  
26 "PROVIDING ADDITIONAL ASSISTANCE TO FAMILIES ELIGIBLE FOR  
27 CERTAIN BENEFITS."

28 Page 1, strike line 104.

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