

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 10-1379

BY REPRESENTATIVE(S) Ferrandino, Pommer, Lambert;  
also SENATOR(S) White, Keller, Tapia.

CONCERNING A REDUCTION IN THE GENERAL FUND PORTION OF THE PER  
DIEM RATES PAID TO NURSING FACILITIES FOR THE 2010-11 FISCAL  
YEAR, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 25.5-6-202 (9) (b) (III), as enacted by House Bill  
10-1324, is amended to read:

**25.5-6-202. Providers - nursing facility provider reimbursement  
- rules - repeal.** (9) (b) (III) Notwithstanding any other provision of law,  
commencing March 1, 2010, through June 30, ~~2011~~ 2010, the general fund  
portion of the ~~aggregate statewide average~~ per diem rate ~~net of patient  
payment~~ pursuant to subsections (1) to (4) of this section shall be reduced  
by one and one-half percent. NOTWITHSTANDING ANY OTHER PROVISION OF  
LAW, COMMENCING JULY 1, 2010, THROUGH JUNE 30, 2011, THE GENERAL  
FUND PORTION OF THE PER DIEM RATE PURSUANT TO SUBSECTIONS (1) TO (4)  
OF THIS SECTION SHALL BE REDUCED BY TWO AND ONE-HALF PERCENT. The  
state department may, but is not required to, increase the supplemental  
medicaid payment pursuant to subparagraph (II) of this paragraph (b) due

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

to this reduction; except that the provider fee shall not exceed the amount specified in section 25.5-6-203 (1) (a) (II).

**SECTION 2.** 25.5-6-202 (9) (b.7) (II), Colorado Revised Statutes, is amended to read:

**25.5-6-202. Providers - nursing facility provider reimbursement - rules - repeal.** (9) (b.7) Notwithstanding the provision of subparagraph (I) of paragraph (b) of this subsection (9):

(II) For the fiscal year commencing July 1, 2010, the general fund share of the aggregate statewide average of the per diem rate shall be limited to a ~~five-percent~~ ONE AND NINE-TENTHS PERCENT increase from the prior fiscal year.

**SECTION 3. Appropriation - adjustments in the 2010 long bill.**

(1) For the implementation of this act, appropriations in the annual general appropriation act to the department of health care policy and financing, for the fiscal year beginning July 1, 2010, shall be adjusted as follows:

(a) The appropriation for medical service premiums is decreased by twelve million forty-one thousand thirty-two dollars (\$12,041,032). Of said sum, eight million two hundred eleven thousand three hundred thirty-three dollars (\$8,211,333) shall be from the general fund and three million eight hundred twenty-nine thousand six hundred ninety-nine dollars (\$3,829,699) shall be from federal funds.

(b) The cash funds appropriation for medical service premiums is increased by five million eight hundred six thousand three hundred forty-three dollars (\$5,806,343). Said sum shall be from the medicaid nursing facility cash fund created in section 25.5-6-203 (2) (a), Colorado Revised Statutes, and shall be subject to the (H) notation as defined in the general appropriation act.

**SECTION 4. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO