

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 10-0870.01 Jerry Barry

SENATE BILL 10-132

SENATE SPONSORSHIP

Williams, Morse, Penry, Whitehead, Boyd

HOUSE SPONSORSHIP

Riesberg, Kefalas, Massey, Roberts, Gardner B.

Senate Committees

Health and Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEDICAID PAYMENT FOR ROOM AND BOARD IN A HOSPICE**
102 **INPATIENT FACILITY FOR PATIENTS RECEIVING THE ROUTINE**
103 **LEVEL OF HOSPICE CARE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Currently, a person eligible for medicaid who has elected to receive hospice care and who needs to be in a residential care facility must go to a class I nursing facility. Subject to the receipt of federal authorization, the bill allows the person to go to either a class I nursing

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

facility or to a licensed hospice inpatient facility. It directs the department of health care policy and financing (department) to establish the reimbursement rate for room and board for patients receiving routine hospice care.

The bill conditions the department's request for federal authorization upon the receipt of sufficient money from gifts, grants, or donations to pay for the costs of preparing and submitting the request.

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

2 **SECTION 1.** 25.5-5-304, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **25.5-5-304. Hospice care - report.** (3) (a) SUBJECT TO THE
5 RECEIPT OF ANY NECESSARY FEDERAL AUTHORIZATION, THE HOSPICE CARE
6 PROVIDED PURSUANT TO THIS SECTION MAY INCLUDE ROOM AND BOARD
7 IN A HOSPICE INPATIENT FACILITY LICENSED PURSUANT TO SECTION
8 25-3-101, C.R.S. THE STATE DEPARTMENT IS AUTHORIZED TO ESTABLISH
9 THE REIMBURSEMENT RATE FOR THE COSTS FOR ROOM AND BOARD AT A
10 LICENSED HOSPICE INPATIENT FACILITY FOR PATIENTS ELIGIBLE FOR THE
11 ROUTINE LEVEL OF HOSPICE CARE. IF REQUIRED, THE STATE DEPARTMENT
12 SHALL SEEK THE APPROPRIATE FEDERAL AUTHORIZATION TO PAY THE
13 REIMBURSEMENT RATE FOR THE COSTS FOR ROOM AND BOARD IN A
14 LICENSED HOSPICE INPATIENT FACILITY.

15 (b) (I) IF REQUIRED, THE STATE DEPARTMENT SHALL SEEK THE
16 APPROPRIATE FEDERAL AUTHORIZATION, CONDITIONED ON THE RECEIPT OF
17 GIFTS, GRANTS, OR DONATIONS SUFFICIENT TO PROVIDE FOR THE STATE'S
18 ADMINISTRATIVE COSTS OF PREPARING AND SUBMITTING THE REQUEST TO
19 INCLUDE ROOM AND BOARD AT A LICENSED HOSPICE INPATIENT FACILITY
20 AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3). ON OR BEFORE
21 JANUARY 15, 2011, THE STATE DEPARTMENT SHALL SUBMIT A BRIEF
22 REPORT TO THE MEMBERS OF THE HEALTH AND HUMAN SERVICES

1 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY
2 SUCCESSOR COMMITTEES, ON THE STATUS OF ANY REQUEST FOR
3 AUTHORIZATION PURSUANT TO THIS SUBPARAGRAPH (I).

4 (II) THE STATE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT
5 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
6 THE PURPOSE OF PROVIDING FOR THE ADMINISTRATIVE COSTS OF
7 PREPARING AND SUBMITTING THE REQUEST FOR FEDERAL APPROVAL
8 DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b). ALL SUCH
9 PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR
10 DONATIONS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
11 SHALL CREDIT THE SAME TO THE HOSPICE ROOM AND BOARD ACCOUNT IN
12 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING CASH FUND
13 CREATED PURSUANT TO SECTION 25.5-1-109, WHICH ACCOUNT IS HEREBY
14 CREATED. MONEYS IN THE ACCOUNT SHALL BE SUBJECT TO
15 APPROPRIATION AND SHALL ONLY BE USED FOR THE PURPOSES DESCRIBED
16 IN THIS SUBPARAGRAPH (II).

17 **SECTION 2. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.