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SENATE BILL 11-213

BY SENATOR(S) Hodge, Steadman, Lambert, Brophy, Cadman, Grantham, Harvey, King K., King S., Kopp, Lundberg, Renfroe, Scheffel; also REPRESENTATIVE(S) Gerou, Becker, Ferrandino, Summers, McNulty, Stephens.

CONCERNING ENROLLEE COST-SHARING FOR CHILDREN ENROLLED IN THE CHILDREN'S BASIC HEALTH PLAN, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. 25.5-8-107 (1) (b) and (1) (e), Colorado Revised Statutes, are amended to read:

25.5-8-107. Duties of the department - schedule of services - premiums - copayments - subsidies. (1) In addition to any other duties pursuant to this article, the department shall have the following duties:

(b) (I) To design and implement a system of cost-sharing with enrollees using an ~~annual~~ enrollment fee that is based on a sliding fee scale; ~~The sliding fee scale shall be developed based on the enrollee's family income;~~ except that no enrollment fee shall be assessed against an enrollee whose family income is at or below one hundred fifty percent of the federal

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

poverty line and no enrollment fee shall be assessed against an enrollee who is a pregnant woman. As permitted by federal and state law, enrollees in the plan may use funds from a medical savings account to pay the ~~annual enrollment fee~~ FEES. On or before November 1 of each year, the department shall submit for approval to the joint budget committee its annual proposal for cost sharing for the plan based upon a family's income.

(II) FOR CHILDREN IN FAMILIES WITH A FAMILY INCOME EQUAL TO OR GREATER THAN ONE HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LINE, BUT NO MORE THAN TWO HUNDRED AND FIVE PERCENT OF THE FEDERAL POVERTY LINE, THE DEPARTMENT SHALL ASSESS AN ANNUAL ENROLLMENT FEE.

(III) FOR CHILDREN IN FAMILIES WITH A FAMILY INCOME GREATER THAN TWO HUNDRED AND FIVE PERCENT OF THE FEDERAL POVERTY LINE, THE DEPARTMENT SHALL ASSESS A MONTHLY ENROLLMENT FEE THAT IS NOT LESS THAN TWENTY DOLLARS FOR THE FIRST CHILD ENROLLED IN THE PLAN AND NOT LESS THAN TEN DOLLARS FOR EACH ADDITIONAL CHILD ENROLLED IN THE PLAN. THE TOTAL MONTHLY ENROLLMENT FEE ASSESSED FOR A FAMILY SHALL NOT EXCEED FIFTY DOLLARS PER MONTH. THE DEPARTMENT MAY ADJUST THE AMOUNTS SPECIFIED IN THIS SUBPARAGRAPH (III) FOR INFLATION.

(e) To design a procedure whereby a financial sponsor may pay the ~~annual~~ enrollment fee or some portion thereof on behalf of a subsidized or nonsubsidized enrollee; except that the payment made on behalf of said enrollee shall not exceed the total enrollment fee due from the enrollee;

SECTION 2. Appropriation - adjustments in 2011 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act, to the department of health care policy and financing, for the fiscal year beginning July 1, 2011, shall be adjusted as follows:

(a) The appropriation for the executive director's office, for general administration, is increased by four thousand eight hundred twenty-one dollars (\$4,821) and 0.2 FTE. Of this amount, one thousand six hundred eighty-seven dollars (\$1,687) shall be from the general fund and three thousand one hundred thirty-four dollars (\$3,134) shall be from federal funds.

(b) The appropriation for the indigent care program, for children's basic health plan administration, is increased by eleven thousand eighty-eight dollars (\$11,088). Of this amount, three thousand eight hundred eighty-one dollars (\$3,881) shall be from the general fund and seven thousand two hundred seven dollars (\$7,207) shall be from federal funds.

(c) The appropriation for the indigent care program, for children's basic health plan medical and dental costs, is decreased by three hundred ninety-eight thousand eight hundred forty-nine dollars (\$398,849). Of this amount, one hundred thirty-nine thousand five hundred ninety-seven dollars (\$139,597) shall be cash funds from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, and two hundred fifty-nine thousand two hundred fifty-two dollars (\$259,252) shall be from federal funds.

(d) The appropriation for the department of human services medicaid-funded programs, office of information technology services - medicaid funding, for the Colorado benefits management system, is increased by three hundred seventy-five thousand nine hundred sixty dollars (\$375,960). Of said sum, twenty-nine thousand nine hundred seventy dollars (\$29,970) shall be from the general fund, one hundred one thousand six hundred sixteen dollars (\$101,616) shall be from the children's basic health plan trust created in section 25.5-8-105 (1), Colorado Revised Statutes, and two hundred forty-four thousand three hundred seventy-four dollars (\$244,374) shall be from federal funds.

(2) For the implementation of this act, appropriations made in the annual general appropriation act, to the department of human services, office of information technology services, for the Colorado benefits management system for the fiscal year beginning July 1, 2011, is increased by three hundred seventy-five thousand nine hundred sixty dollars (\$375,960). Said sum shall be reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (1) (d) of this section.

(3) For the implementation of this act, appropriations made in the annual general appropriation act, to the governor - lieutenant governor - state planning and budgeting, office of information technology for the Colorado benefits management system, for the fiscal year beginning July 1,

2011, is increased by three hundred seventy-five thousand nine hundred sixty dollars (\$375,960). Said sum shall be reappropriated funds received from the department of human services out of the appropriation made in subsection (2) of this section.

SECTION 3. Effective date. This act shall take effect July 1, 2011.

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.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO