## First Regular Session Sixty-eighth General Assembly STATE OF COLORADO

## REREVISED

This Version Includes All Amendments Adopted in the Second House HOUSE BILL 11-1323

LLS NO. 11-1075.01 Christy Chase

## HOUSE SPONSORSHIP

Massey,

Boyd,

SENATE SPONSORSHIP

#### House Committees Health and Environment

Senate Committees State, Veterans & Military Affairs

# A BILL FOR AN ACT

101 **CONCERNING AN EXEMPTION FROM STATE LICENSURE REQUIREMENTS** 

102 FOR A COMMUNITY CLINIC THAT IS A RURAL HEALTH <u>CLINIC</u>,

103 AND MAKING AN APPROPRIATION THEREFORE.

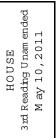
### **Bill Summary**

(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.)

Under current law, community clinics, like some other health facilities, are required to obtain a license from, submit to on-site inspections by, and obtain approval of construction plans from the department of public health and environment.

# SENATE 3 rd Reading Unam ended M ay 11, 2011

SENATE Am ended 2nd Reading M ay 10, 2011





The bill excludes from the definition of a community clinic any clinic that is a "rural health clinic" under the federal "Social Security Act", thereby exempting rural health clinics from state licensure and related requirements. **Section 3** of the bill clarifies that while a rural health clinic will no longer be licensed by the department, a rural health clinic continues as a general provider under the Colorado indigent care program.

Be it enacted by the General Assembly of the State of Colorado:
SECTION 1. 25-1.5-103 (2) (a.5), Colorado Revised Statutes, as
enacted by House Bill 11-1101, is amended to read:
25-1.5-103. Health facilities - powers and duties of department
- limitations on rules promulgated by department. (2) For purposes
of this section, unless the context otherwise requires:
(a.5) "Community clinic" does not include:
(I) A federally qualified health center, as defined in section 1861
(aa) (4) of the federal "Social Security Act", 42 U.S.C. sec. 1395x (aa)
(4);
(II) A RURAL HEALTH CLINIC, AS DEFINED IN SECTION $1861(aa)(2)$
OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa) (2).
SECTION 2. 25-3-101 (2) (a), Colorado Revised Statutes, as
amended by House Bill 11-1101, is amended to read:
25-3-101. Hospitals - health facilities - licensed - definitions.
(2) As used in this section, unless the context otherwise requires:
(a) "Community clinic" does not include:
(I) A federally qualified health center, as defined in section 1861
(aa) (4) of the federal "Social Security Act", 42 U.S.C. sec. 1395x (aa)
(4).
(II) A RURAL HEALTH CLINIC, AS DEFINED IN SECTION $1861(aa)(2)$
OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa) (2).

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- SECTION 3. 25.5-3-103 (3), Colorado Revised Statutes, as
   amended by House Bill 11-1101, is amended to read:
- 3 25.5-3-103. Definitions. As used in this part 1, unless the context
  4 otherwise requires:

5 (3) "General provider" means a general hospital, birth center, or community health clinic licensed or certified by the department of public 6 7 health and environment pursuant to section 25-1.5-103 (1) (a) (I) or (1) 8 (a) (II), C.R.S.; a federally qualified health center, as defined in section 9 1861 (aa) (4) of the federal "Social Security Act", 42 U.S.C. sec. 1395x 10 (aa) (4); A RURAL HEALTH CLINIC, AS DEFINED IN SECTION 1861 (aa) (2) OF 11 THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa) (2); a 12 health maintenance organization issued a certificate of authority pursuant 13 to section 10-16-402, C.R.S.; and the health sciences center when acting 14 pursuant to section 25.5-3-108 (5) (a) (I) or (5) (a) (II) (A). For the purposes of the program, "general provider" includes associated 15 16 physicians.

- 17 **SECTION 4.** Appropriation - adjustments in 2011 long bill. 18 For the implementation of this act, the cash funds appropriation made in 19 the annual general appropriation act for the fiscal year beginning July 1, 20 2011, to the department of public health and environment, division of 21 health facilities and emergency medical services division, for health 22 facilities general licensure program, is decreased by five hundred 23 twenty-nine dollars (\$529). Said sum shall be from the health facilities 24 general licensure cash fund created in section 25-3-103.1 (1), Colorado 25 **Revised Statutes.**
- 26 **SECTION 5.** Safety clause. The general assembly hereby finds,

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