

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

INTRODUCED

LLS NO. 11-0291.01 Brita Darling

SENATE BILL 11-048

SENATE SPONSORSHIP

King K., Brophy, Cadman, Scheffel

HOUSE SPONSORSHIP

Swalm and Joshi,

Senate Committees
State, Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING EXEMPTING PSYCHIATRIC HOSPITALS FROM PAYMENT OF**
102 **THE HOSPITAL PROVIDER FEE.**

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, psychiatric hospitals are exempt from payment of the hospital provider fee. The bill clarifies that psychiatric hospitals shall remain exempt from payment of the hospital provider fee.

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.

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

2 **SECTION 1.** The introductory portion to 25.5-4-402.3 (3) (c) (I)
3 and 25.5-4-402.3 (3) (c) (I) (A), Colorado Revised Statutes, are amended
4 to read:

5 **25.5-4-402.3. Providers - hospital - provider fees - legislative**
6 **declaration - federal waiver - fund created - rules - advisory board -**
7 **repeal.** (3) **Hospital provider fee.** (c) (I) In accordance with the
8 redistributive method set forth in 42 CFR 433.68 (e) (1) and (e) (2), the
9 state department may seek a waiver from the broad-based provider fees
10 requirement or the uniform provider fees requirement, or both. Subject
11 to federal approval and to minimize the financial impact on certain
12 hospitals, the state department SHALL EXEMPT FROM PAYMENT OF THE
13 PROVIDER FEE PSYCHIATRIC HOSPITALS, AS LICENSED BY THE DEPARTMENT
14 OF PUBLIC HEALTH AND ENVIRONMENT, AND, in consultation with the
15 advisory board, may exempt from payment of the provider fee certain
16 types of hospitals, including but not limited to:

17 (A) ~~Psychiatric hospitals, as licensed by the department of public~~
18 ~~health and environment;~~

19 **SECTION 2. Act subject to petition - effective date.** This act
20 shall take effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part shall not take effect
26 unless approved by the people at the general election to be held in

1 November 2012 and shall take effect on the date of the official
2 declaration of the vote thereon by the governor.