

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

PREAMENDED

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

LLS NO. 11-0100.01 Brita Darling

SENATE BILL 11-105

SENATE SPONSORSHIP

Guzman, Aguilar, Boyd, Carroll, Foster, Lundberg, Newell, Roberts

HOUSE SPONSORSHIP

Levy,

Senate Committees

Health and Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING IN-HOME SUPPORT SERVICES, AND, IN CONNECTION**
102 **THEREWITH, EXTENDING THE IN-HOME SUPPORT SERVICES**
103 **PROGRAM.**

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>.)

Sunset Process - Senate Health and Human Services Committee. The bill extends the repeal date for the in-home support services program (program) by three years to September 1, 2014, and requires the department of regulatory agencies to review the program

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.

prior to its repeal.

In administering the program, the department of health care policy and financing (HCPF) shall implement a system for the routine and accurate monitoring of the number of persons receiving in-home support services. Additionally, HCPF shall provide comprehensive, periodic training for single entry point agencies, including, at a minimum, information concerning eligibility for the program and the location of and contact information for in-home support service agencies.

HCPF shall report annually to the joint budget committee and to the health and human services committee of the senate and the health and environment committee of the house of representatives on the implementation of in-home support services.

The bill removes obsolete language repealing the program if certain federal funding conditions were not met.

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

2 **SECTION 1.** 25.5-6-1202 (3) (a), Colorado Revised Statutes, is
3 amended to read:

4 **25.5-6-1202. Definitions.** As used in this part 12, unless the
5 context otherwise requires:

6 (3) "Eligible person" means any person who:

7 (a) Is eligible for home- and community-based services under part
8 PARTS 3 TO 9 of this article or is eligible for the disabled children care
9 program under section 25.5-6-901;

10 **SECTION 2.** 25.5-6-1203, Colorado Revised Statutes, is
11 amended BY THE ADDITION OF A NEW SUBSECTION to read:

12 **25.5-6-1203. In-home support services - eligibility - licensure**
13 **exclusion - in-home support service agency responsibilities.** (7) IN
14 ADMINISTERING THE PROVISION OF IN-HOME SUPPORT SERVICES PURSUANT
15 TO THIS PART 12, THE STATE DEPARTMENT SHALL:

16 (a) IMPLEMENT A SYSTEM FOR THE ROUTINE AND ACCURATE
17 MONITORING OF THE NUMBER OF PERSONS RECEIVING IN-HOME SUPPORT

1 SERVICES; AND

2 (b) PROVIDE COMPREHENSIVE, PERIODIC TRAINING FOR ALL SINGLE
3 ENTRY POINT AGENCIES IN THE STATE, WHICH TRAINING SHALL INCLUDE,
4 AT A MINIMUM:

5 (I) THE CURRENT ELIGIBILITY REQUIREMENTS FOR THE RECEIPT OF
6 IN-HOME SUPPORT SERVICES; AND

7 (II) THE LOCATION OF, AND CONTACT INFORMATION FOR, THE
8 IN-HOME SUPPORT SERVICE AGENCIES PROVIDING IN-HOME SUPPORT
9 SERVICES IN THE STATE.

10 **SECTION 3.** 25.5-6-1206, Colorado Revised Statutes, is
11 amended to read:

12 **25.5-6-1206. Report.** ~~On or before January 1, 2008,~~ The state
13 department shall ~~provide~~ a report ANNUALLY to the joint budget
14 committee of the general assembly and the health and human services
15 ~~committees of the house of representatives and the senate, or any~~
16 ~~successor committees,~~ COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
17 COMMITTEE, AND THE HEALTH AND ENVIRONMENT COMMITTEE OF THE
18 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE, on the
19 implementation of in-home support services. At a minimum the report
20 shall include the cost-effectiveness of providing in-home support services
21 to the elderly, blind, and disabled and to eligible disabled children and the
22 number of persons receiving such services.

23 **SECTION 4.** 25.5-6-1207, Colorado Revised Statutes, is
24 amended to read:

25 **25.5-6-1207. Repeal of part.** This part 12 is repealed, effective
26 ~~July 1, 2011~~ SEPTEMBER 1, 2014. Prior to such repeal, in-home support
27 services established under this part 12 shall be reviewed as provided for

1 in section 24-34-104, C.R.S.

2 **SECTION 5. Repeal.** 25.5-6-1208, Colorado Revised Statutes,
3 is repealed as follows:

4 **25.5-6-1208. Conditional repeal of part.** ~~(1) This part 12 shall~~
5 ~~be repealed if sufficient federal funds reflected in section 3 of Senate Bill~~
6 ~~02-027, enacted at the second regular session of the sixty-third general~~
7 ~~assembly, are not received by the state department. If sufficient federal~~
8 ~~funds are not received by the state department, said department shall~~
9 ~~immediately notify the revisor of statutes, in writing.~~

10 ~~(2) This part 12 shall be repealed upon receipt by the revisor of~~
11 ~~statutes of the notification described in subsection (1) of this section.~~

12 **SECTION 6. Repeal.** 24-34-104 (42) (o), Colorado Revised
13 Statutes, is repealed as follows:

14 **24-34-104. General assembly review of regulatory agencies**
15 **and functions for termination, continuation, or reestablishment.**

16 (42) The following agencies, functions, or both, shall terminate on July
17 1, 2011:

18 (o) ~~In-home support services, established pursuant to part 12 of~~
19 ~~article 6 of title 25.5, C.R.S.~~

20 **SECTION 7.** 24-34-104, Colorado Revised Statutes, is amended
21 BY THE ADDITION OF A NEW SUBSECTION to read:

22 **24-34-104. General assembly review of regulatory agencies**
23 **and functions for termination, continuation, or reestablishment.**

24 (45.5) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, SHALL
25 TERMINATE ON SEPTEMBER 1, 2014:

26 (a) IN-HOME SUPPORT SERVICES, ESTABLISHED PURSUANT TO PART
27 12 OF ARTICLE 6 OF TITLE 25.5, C.R.S.

1 **SECTION 8. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.