

**NOTE: The governor signed this measure on 4/8/2013.**

# An Act

HOUSE BILL 13-1202

BY REPRESENTATIVE(S) Gerou and Ferrandino, Court, Ginal, Hullinghorst, Kraft-Tharp, Primavera, Priola, Rosenthal, Ryden, Schafer, Young;  
also SENATOR(S) Kefalas, Carroll, Giron, Guzman, Heath, Hodge, Jahn, King, Newell, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Todd, Ulibarri, Morse.

CONCERNING COUNSELING BY MEDICAID PROVIDERS RELATING TO MEDICAL ORDERS FOR SCOPE OF TREATMENT.

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

**SECTION 1.** In Colorado Revised Statutes, 25.5-5-202, **add** (1) (v) as follows:

**25.5-5-202. Basic services for the categorically needy - optional services.** (1) Subject to the provisions of subsection (2) of this section, the following are services for which federal financial participation is available and which Colorado has selected to provide as optional services under the medical assistance program:

(v) (I) COUNSELING BY PRIMARY CARE PROVIDERS AND OTHER SPECIALTY PROVIDERS CARING FOR PERSONS WITH SERIOUS, CHRONIC, OR

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

TERMINAL ILLNESS RELATING TO MEDICAL ORDERS FOR SCOPE OF TREATMENT, WHICH COUNSELING MAY BE REIMBURSED.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (v), COUNSELING RELATING TO MEDICAL ORDERS FOR SCOPE OF TREATMENT SHALL NOT TAKE EFFECT UNLESS ALL NECESSARY APPROVALS UNDER FEDERAL LAW AND REGULATION HAVE BEEN OBTAINED TO RECEIVE FEDERAL FINANCIAL PARTICIPATION FOR THE COSTS OF SUCH SERVICES.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014

and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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John P. Morse  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO