

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 13-0689.01 Brita Darling x2241

HOUSE BILL 13-1152

HOUSE SPONSORSHIP

Levy and Gerou, Duran

SENATE SPONSORSHIP

Hodge, Steadman, Lambert

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE GENERAL FUND PORTION OF THE PER DIEM RATES**
102 **PAID TO NURSING FACILITIES, AND, IN CONNECTION THEREWITH,**
103 **REDUCING AN APPROPRIATION.**

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>.)

Joint Budget Committee. The bill reduces the general fund portion of the per diem rate paid to nursing facilities commencing in the 2013-14 fiscal year and continuing in each fiscal year thereafter.

Additionally, the bill repeals obsolete provisions.

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.

SENATE
2nd Reading Unamended
April 18, 2013

HOUSE
3rd Reading Unamended
March 21, 2013

HOUSE
Amended 2nd Reading
March 20, 2013

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-6-202, **amend**
3 (9) (b) (V); **repeal** (9) (b) (III) and (9) (b) (IV); and **add** (9) (b) (VI) as
4 follows:

5 **25.5-6-202. Providers - nursing facility provider**
6 **reimbursement - rules - repeal.** (9) (b) (III) Notwithstanding any other
7 provision of law, commencing March 1, 2010, through June 30, 2010, the
8 general fund portion of the per diem rate pursuant to subsections (1) to (4)
9 of this section shall be reduced by one and one-half percent.
10 Notwithstanding any other provision of law, commencing July 1, 2010,
11 through June 30, 2011, the general fund portion of the per diem rate
12 pursuant to subsections (1) to (4) of this section shall be reduced by two
13 and one-half percent. The state department may, but is not required to,
14 increase the supplemental medicaid payment pursuant to subparagraph
15 (H) of this paragraph (b) due to this reduction; except that the provider fee
16 shall not exceed the amount specified in section 25.5-6-203 (1) (a) (H).

17 (IV) Notwithstanding any other provision of law, commencing
18 July 1, 2011, through June 30, 2012, the general fund portion of the per
19 diem rate pursuant to subsections (1) to (4) of this section shall be
20 reduced by one and one-half percent. The state department may, but is not
21 required to, increase the supplemental medicaid payment pursuant to
22 subparagraph (H) of this paragraph (b) due to this reduction; except that
23 the provider fee shall not exceed the amount specified in section
24 25.5-6-203 (1) (a) (H).

25 (V) (A) Notwithstanding any other provision of law, commencing
26 July 1, 2012, through June 30, 2013, the general fund portion of the per

1 diem rate pursuant to subsections (1) to (4) of this section shall be
2 reduced by one and one-half percent. The state department may, but is not
3 required to, increase the supplemental medicaid payment pursuant to
4 subparagraph (II) of this paragraph (b) due to this reduction; except that
5 the provider fee shall not exceed the amount specified in section
6 25.5-6-203 (1) (a) (II).

7 (B) THIS SUBPARAGRAPH (V) IS REPEALED, EFFECTIVE JULY 1,
8 2014.

9 (VI) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE
10 FISCAL YEAR COMMENCING JULY 1, 2013, AND EACH FISCAL YEAR
11 THEREAFTER, THE GENERAL FUND PORTION OF THE PER DIEM RATE
12 PURSUANT TO SUBSECTIONS (1) TO (4) OF THIS SECTION SHALL BE REDUCED
13 BY ONE AND ONE-HALF PERCENT. THE STATE DEPARTMENT MAY, BUT IS
14 NOT REQUIRED TO, INCREASE THE SUPPLEMENTAL MEDICAID PAYMENT
15 PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) DUE TO THIS
16 REDUCTION; EXCEPT THAT THE PROVIDER FEE SHALL NOT EXCEED THE
17 AMOUNT SPECIFIED IN SECTION 25.5-6-203 (1) (a) (II).

18 **SECTION 2. Appropriation - adjustments to 2013 long bill.**

19 (1) For the implementation of this act, appropriations made in the annual
20 general appropriation act to the department of health care policy and
21 financing for medical service premiums for the fiscal year beginning July
22 1, 2013, are adjusted as follows:

23 (a) The general fund appropriation is decreased by \$4,867,854.

24 (b) The federal funds appropriation is decreased by \$4,867,854.

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