

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

**PREAMENDED**

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

LLS NO. 13-0689.01 Brita Darling x2241

**HOUSE BILL 13-1152**

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**HOUSE SPONSORSHIP**

**Levy and Gerou, Duran**

**SENATE SPONSORSHIP**

**Hodge, Steadman, Lambert**

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**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

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**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.**

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**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.*

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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.