

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

INTRODUCED

LLS NO. 13-0781.01 Jerry Barry x4341

HOUSE BILL 13-1199

HOUSE SPONSORSHIP

Pettersen,

SENATE SPONSORSHIP

Kefalas,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CLARIFICATIONS OF THE STATUTE GOVERNING PROVIDER**
102 **FEES PAID BY NURSING FACILITIES.**

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>.)

The bill clarifies what types of continuing care retirement communities are exempt from paying the nursing home provider fee (fee), and clarifies the authority of the department of health care policy and financing to collect the fee and the timing of the fee. The bill changes the frequency of when nursing facility providers are required to report certain

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.

information from monthly to annually.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-6-203, **amend**
3 (1) (c) (I) and (1) (g) as follows:

4 **25.5-6-203. Nursing facilities - provider fees - federal waiver**
5 **- fund created - rules.** (1) (c) In accordance with the redistributive
6 method set forth in 42 CFR 433.68 (e) (1) and (e) (2), the state
7 department shall seek a waiver from the broad-based provider fees
8 requirement or the uniform provider fees requirement, or both, to exclude
9 nursing facility providers from the provider fee. The state department
10 shall exempt the following nursing facility providers to obtain federal
11 approval and minimize the financial impact on nursing facility providers:

12 (I) A facility operated as a continuing care retirement community
13 that provides a continuum of services by one operational entity providing
14 independent living services, ~~or assisted living residence services, as~~
15 ~~defined in section 25-27-102 (1.3), C.R.S., or that provides assisted living~~
16 ~~services on-site, twenty-four hours per day, seven days per week, and~~
17 skilled nursing care on a single, contiguous campus. ASSISTED LIVING
18 SERVICES INCLUDE AN ASSISTED LIVING RESIDENCE, AS DEFINED IN
19 SECTION 25-27-102, C.R.S., AND ON-SITE, TWENTY-FOUR HOURS PER DAY,
20 SEVEN DAYS PER WEEK ASSISTED LIVING SERVICES.

21 (g) The state department shall establish a schedule to assess AND
22 COLLECT the provider fee on a monthly basis. ~~and shall collect the fee~~
23 ~~from nursing facility providers by no later than the end of the next~~
24 ~~succeeding calendar month.~~ The state board shall establish rules so that
25 provider fee payments from a nursing facility provider and the state

1 department's supplemental medicaid payments to the nursing facility are
2 due as nearly simultaneously as feasible; except that the state department's
3 supplemental medicaid payments to the nursing facility shall be due no
4 more than fifteen days after the provider fee payment is received from the
5 nursing facility. The state department shall require each nursing facility
6 provider to report ~~monthly~~ ANNUALLY its total number of days of care
7 provided to nonmedicare residents.

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