

**Second 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. 14-0020.01 Brita Darling x2241

SENATE BILL 14-130

SENATE SPONSORSHIP

Tochtrop,

HOUSE SPONSORSHIP

Primavera,

Senate Committees

Health & Human Services
Appropriations

House Committees

Public Health Care & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE TO THE PERSONAL NEEDS ALLOWANCE FOR**
102 **PERSONS IN NURSING CARE FACILITIES, AND, IN CONNECTION**
103 **THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**

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 changes the personal needs allowance by increasing the minimum amount payable to a resident of a nursing facility or an intermediate care facility for individuals with intellectual disabilities from \$50 to \$75 per month. Additionally, the bill adjusts the minimum personal

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.*

HOUSE
2nd Reading Unamended
April 25, 2014

SENATE
3rd Reading Unamended
April 15, 2014

SENATE
Amended 2nd Reading
April 14, 2014

needs allowance annually by the annual percentage increase in the nursing facility provider rate.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-6-206, **amend**
3 (2) (a) as follows:

4 **25.5-6-206. Personal needs benefits - amount - patient**
5 **personal needs trust fund required - funeral and burial expenses -**
6 **penalty for illegal retention and use.** (2) (a) The basic minimum
7 amount payable pursuant to subsection (1) of this section for personal
8 needs to any recipient admitted to a nursing facility or intermediate care
9 facility for individuals with intellectual disabilities is ~~fifty~~ SEVENTY-FIVE
10 dollars monthly; EXCEPT THAT, COMMENCING JANUARY 1, 2015, AND
11 EACH JANUARY 1 THEREAFTER, THE BASIC MINIMUM AMOUNT SHALL
12 INCREASE ANNUALLY BY THE SAME PERCENTAGE APPLIED TO THE
13 GENERAL FUND SHARE OF THE AGGREGATE STATEWIDE AVERAGE OF THE
14 PERDIEM NET OF PATIENT PAYMENT PURSUANT TO SECTION 25.5-6-202 (9)
15 (b) (I). COMMENCING WITH THE FISCAL YEAR BEGINNING JULY 1, 2014,
16 AND EACH FISCAL YEAR THEREAFTER, THE REDUCTION TO PATIENT
17 PAYMENTS RECEIVED BY NURSING FACILITIES RESULTING FROM AN
18 INCREASE IN THE BASIC MINIMUM AMOUNT SHALL BE FUNDED IN FULL BY
19 GENERAL FUND AND APPLICABLE FEDERAL FUNDS.

20 **SECTION 2. Appropriation - adjustments to 2014 long bill.**

21 (1) For the implementation of this act, the general fund appropriation
22 made in the annual general appropriation act to the controlled
23 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
24 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
25 by \$532,412.

1 (2) In addition to any other appropriation, there is hereby
2 appropriated, to the department of health care policy and financing, for
3 the fiscal year beginning July 1, 2014, the sum of \$1,057,300, or so much
4 thereof as may be necessary, for allocation to Medical Services
5 Premiums, for a reduction in patient payments received by nursing
6 facilities and intermediate care facilities for individuals with intellectual
7 disabilities resulting from an increase in the personal needs benefit related
8 to the implementation of this act. Of said sum, \$517,971 is from the
9 general fund and \$539,329 is from federal funds.

10 (3) In addition to any other appropriation, there is hereby
11 appropriated, to the department of health care policy and financing, for
12 the fiscal year beginning July 1, 2014, the sum of \$2,289, or so much
13 thereof as may be necessary, for allocation to department of human
14 services medicaid-funded programs, office of information technology
15 services-medicaid funding, Colorado benefits management system, for
16 system modifications related to the implementation of this act. Of said
17 sum, \$1,138 is from the general fund, \$7 is from the old age pension
18 health and medical care fund pursuant to section 7 (c) of article XXIV of
19 the state constitution, \$2 is from the children's basic health plan trust fund
20 created in section 25.5-8-105 (1), Colorado Revised Statutes, and \$1,142
21 is from federal funds.

22 (4) In addition to any other appropriation, there is hereby
23 appropriated, to the department of health care policy and financing, for
24 the fiscal year beginning July 1, 2014, the sum of \$22,345, or so much
25 thereof as may be necessary, for allocation to department of human
26 services medicaid-funded programs, services for people with disabilities
27 – medicaid funding, regional centers, for a reduction in patient payments

1 received by nursing facilities and intermediate care facilities for
2 individuals with intellectual disabilities resulting from an increase in the
3 personal needs benefit related to the implementation of this act. Of said
4 sum, \$10,947 is from the general fund and \$11,398 is from federal funds.

5 (5) In addition to any other appropriation, there is hereby
6 appropriated, to the department of human services, for the fiscal year
7 beginning July 1, 2014, the sum of \$6,203, or so much thereof as may be
8 necessary, for allocation to the office of information technology services,
9 Colorado benefits management system, for modifications to the Colorado
10 benefits management system related to the implementation of this act. Of
11 said sum, \$2,356 is from the general fund, \$215 is from the old age
12 pension fund created in section 1 of article XXIV of the state constitution,
13 \$2,289 is from reappropriated funds received from the department of
14 health care policy and financing out of the appropriation made in
15 subsection (3) of this section, and \$1,343 is from federal funds.

16 (6) For the implementation of this act, the appropriations made in
17 the annual general appropriation act to the department of human services
18 for services for people with disabilities for regional centers for people
19 with developmental disabilities, for the fiscal year beginning July 1, 2014,
20 are adjusted as follows:

21 (a) The appropriation for Wheat Ridge regional center personal
22 services is decreased by \$9,216 from cash funds from client cash
23 revenues and is increased by \$9,216 from reappropriated funds received
24 from the department of health care policy and financing;

25 (b) The appropriation for Grand Junction regional center personal
26 services is decreased by \$7,111 from cash funds from client cash
27 revenues and is increased by \$7,111 from reappropriated funds received

1 from the department of health care policy and financing; and

2 (c) The appropriation for Pueblo regional center personal services
3 is decreased by \$6,018 from cash funds from client cash revenues and is
4 increased by \$6,018 from reappropriated funds received from the
5 department of health care policy and financing.

6 (7) In addition to any other appropriation, there is hereby
7 appropriated to the governor - lieutenant governor - state planning and
8 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$6,203,
9 or so much thereof as may be necessary, for allocation to the office of
10 information technology for the provision of services to the department of
11 human services related to the implementation of this act. Said sum is from
12 reappropriated funds received from the department of human services out
13 of the appropriation made in subsection (5) of this section.

14 **SECTION 3. Effective date.** This act takes effect July 1, 2014.

15 **SECTION 4. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.