

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 14-0155.01 Brita Darling x2241

SENATE BILL 14-012

SENATE SPONSORSHIP

Kefalas, Ulibarri

HOUSE SPONSORSHIP

Exum, Fields, Pettersen

Senate Committees

Health & Human Services
Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASING THE ASSISTANCE PAYMENT FOR THE**
102 **PROGRAM FOR AID TO THE NEEDY DISABLED, AND, IN**
103 **CONNECTION THEREWITH, MAKING AND REDUCING**
104 **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>.)

Economic Opportunity Poverty Reduction Task Force. The bill requires the department of human services, by rule, to tie the assistance

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
Amended 2nd Reading
April 21, 2014

payment under the program for aid to the needy disabled to an amount equal to a certain percentage of monthly income under the federal poverty guidelines.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) The Aid to the Needy Disabled (AND) program was
5 established in 1953 as an “interim assistance program” for qualifying
6 people waiting for their federal Supplemental Security Income (SSI)
7 benefit to begin;

8 (b) The majority of people receiving AND support ultimately
9 receive SSI, and the state receives reimbursement for all of the state's
10 AND payments to program participants, retroactively from the date of
11 application;

12 (c) The AND program provides basic financial assistance to
13 people who meet the requirements of need and disability between the ages
14 of 18 and 59, and a physician must medically certify their disability status
15 and their inability to work for at least six months;

16 (d) The AND program serves some of our most vulnerable
17 Colorado residents: Individuals who are poor, disabled, unable to work
18 and awaiting SSI and ineligible for other state assistance programs, and
19 many who are also homeless; and

20 (e) State funding for the AND program has not kept up with
21 increased caseloads in recent years due to the recession and other factors,
22 resulting in lower monthly financial assistance amounts that fall far short
23 of meeting the basic needs of any Coloradan.

24 (2) Therefore, the general assembly declares that the State of

1 Colorado places a high priority on caring for our most vulnerable
2 residents, and that it is in the public interest to restore funding to the AND
3 program at the FY 2007 level, including an adjustment for the increased
4 cost of living.

5 (3) Furthermore, the general assembly declares that it is in the
6 public interest to encourage greater efficiencies and collaboration
7 between departments, other public-sector agencies and private-sector
8 community-based organizations to effectively administer the AND
9 program and achieve savings from more timely SSI reimbursements to the
10 state.

11 **SECTION 2.** In Colorado Revised Statutes, 26-2-111, **amend** (4)
12 (b.5) as follows:

13 **26-2-111. Eligibility for public assistance - rules.**

14 (4) (b.5) (I) He or she has applied for supplemental security income
15 benefits and complied with any recommendations for referrals made by
16 the county department except for good cause shown.

17 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
18 THIS PARAGRAPH (b.5) TO THE CONTRARY, THE STATE DEPARTMENT MAY
19 PROMULGATE RULES ALLOWING A COUNTY TO WAIVE THE REQUIREMENT
20 THAT A PERSON APPLY FOR SUPPLEMENTAL SECURITY INCOME BENEFITS
21 PRIOR TO RECEIVING AID TO THE NEEDY DISABLED UNDER SUCH
22 CONDITIONS AND FOR SUCH PERIOD OF TIME AS THE STATE DEPARTMENT
23 DEEMS APPROPRIATE TO ENSURE THAT A PERSON HAS THE OPPORTUNITY
24 TO SUBMIT A THOROUGH AND COMPLETE SUPPLEMENTAL SECURITY
25 INCOME BENEFITS APPLICATION.

26 **SECTION 3.** In Colorado Revised Statutes, 26-2-119, **amend** (1)
27 as follows:

1 **26-2-119. Amount of assistance payments - aid to the needy**

2 **disabled.** (1) (a) The amount of assistance payments that shall be granted
3 to a recipient under the program for aid to the needy disabled shall be on
4 the basis of budgetary need, as determined by the county department with
5 due regard to any income, property, or other resources available to the
6 recipient, within available appropriations, and in accordance with rules
7 of the state department.

8 (b) The rules of the state department:

9 (I) SHALL ESTABLISH THE ASSISTANCE PAYMENT UNDER THE
10 PROGRAM FOR AID TO THE NEEDY DISABLED, WHICH ASSISTANCE PAYMENT
11 FOR THE 2014-15 STATE FISCAL YEAR MUST NOT BE LESS THAN THE
12 AMOUNT OF THE ASSISTANCE PAYMENT FOR THE 2013-14 STATE FISCAL
13 YEAR INCREASED BY TEN PERCENT. FOR STATE FISCAL YEARS 2015-16
14 THROUGH 2018-19, AND IN FISCAL YEARS THEREAFTER IF NECESSARY,
15 SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE DEPARTMENT IS
16 ENCOURAGED TO INCREASE THE AMOUNT OF THE ASSISTANCE PAYMENT TO
17 RESTORE THE PAYMENT TO THE STATE FISCAL YEAR 2006-07 AMOUNT AND
18 TO ADJUST THE ASSISTANCE PAYMENT TO REFLECT INCREASES IN THE COST
19 OF LIVING. == ==

20 (II) May require an applicant or recipient who may be eligible for
21 benefits under another federal or state program or who may have a right
22 to receive or recover other income or resources to take reasonable steps
23 to apply for, otherwise pursue, and accept such benefits, income, or
24 resources.

25 **SECTION 4. Appropriation - adjustments to 2014 long bill.**

26 (1) For the implementation of this act, the general fund appropriation
27 made in the annual general appropriation act to the controlled

1 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
2 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
3 by \$1,240,067.

4 (2) In addition to any other appropriation, there is hereby
5 appropriated to the department of human services, for the fiscal year
6 beginning July 1, 2014, the sum of \$1,556,867, or so much thereof as may
7 be necessary, to be allocated for the implementation of this act as follows:

8 (a) \$1,543,103 for aid to the needy disabled. Of said sum,
9 \$1,234,483 is from the general fund, and \$308,621 is from local funds;

10 (b) \$13,764 for modifications to the Colorado benefits
11 management system. Of said sum, \$3,283 is from the general fund, \$442
12 is from the old age pension fund created in section 1 of article XXIV of
13 the state constitution, \$4,697 is from reappropriated funds received from
14 the department of health care policy and financing out of the
15 appropriation made in subsection (3) of this section, and \$5,342 is from
16 federal funds.

17 (3) In addition to any other appropriation, there is hereby
18 appropriated, to the department of health care policy and financing, for
19 the fiscal year beginning July 1, 2014, the sum of \$4,697, or so much
20 thereof as may be necessary, for allocation to department of human
21 services medicaid-funded programs, office of information technology
22 services-medicaid funding, Colorado benefits management system, for
23 system modifications related to the implementation of this act. Of said
24 sum, \$2,301 is from the general fund, \$12 is from the old age pension
25 health and medical care fund pursuant to section 7 (c) of article XXIV of
26 the state constitution, \$29 is from the children's basic health plan trust
27 fund created in section 25.5-8-105 (1), Colorado Revised Statutes, and

1 \$2,355 is from federal funds.

2 (4) In addition to any other appropriation, there is hereby
3 appropriated to the governor - lieutenant governor - state planning and
4 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$13,764,
5 or so much thereof as may be necessary, for allocation to the office of
6 information technology for the provision of services to the department of
7 human services related to the implementation of this act. Said sum is from
8 reappropriated funds received from the department of human services out
9 of the appropriation made in paragraph (b) of subsection (2) of this
10 section.

11 **SECTION 5. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2014 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.