

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 15-1127.01 Christy Chase x2008

SENATE BILL 15-289

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

(None),

Senate Committees

Health & Human Services
Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A LIMITATION ON THE AMOUNT OF AN INCREASE IN FEES**
102 **ASSESSED AGAINST ASSISTED LIVING RESIDENCES BY THE**
103 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN**
104 **CONNECTION THEREWITH, 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>.)

Under current law, the state board of health (board) is authorized to establish a schedule of fees for health facilities, including assisted living residences, which fees must be sufficient to meet the department

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.*

of public health and environment's direct and indirect costs in regulating health facilities. With regard to most department-regulated health facilities, the board cannot increase fees by more than the inflation rate. However, the inflation rate limitation does not apply to the fees assessed against assisted living residences.

The bill imposes the inflation rate limitation on fees assessed against assisted living residences.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-27-107, **amend**
3 (1.5) (a) as follows:

4 **25-27-107. License fees - rules.** (1.5) (a) No later than January
5 1, 2009, the state board shall promulgate rules establishing a schedule of
6 fees sufficient to meet the direct and indirect costs of administration and
7 enforcement of this article. The ~~rules~~ STATE BOARD shall set a lower fee
8 for facilities with a high medicaid utilization rate, as defined by the state
9 board. The rules shall be adopted in accordance with article 4 of title 24,
10 C.R.S. FEES ESTABLISHED PURSUANT TO THIS SECTION ARE SUBJECT TO
11 THE LIMITATIONS SPECIFIED IN SECTION 25-3-105 (1) (a) (I) (B).

12 **SECTION 2. Appropriation - adjustments to 2015 long bill.**

13 (1) To implement this act, appropriations made in the annual general
14 appropriation act for the 2015-16 state fiscal year to the department of
15 public health and environment are adjusted as follows:

16 (a) The cash funds appropriation from the assisted living
17 residence cash fund created in section 25-27-107.5 (1) C.R.S., for health
18 facilitites and emergency medical services division, health facilities
19 programs is decreased by \$203,743, and the related FTE is decreased by
20 3.0 FTE; and

21 (b) The cash funds appropriation from the assisted living
22 residence cash fund created in section 25-27-107.5 (1) C.R.S., for vehicle

1 lease payments is decreased by \$3,576.

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