



**Colorado  
Legislative  
Council  
Staff**

**SB16-038**

**FINAL  
FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-0446 **Date:** July 11, 2016  
**Prime Sponsor(s):** Sen. Aguilar **Bill Status:** Signed into Law  
 Rep. Young; Sias **Fiscal Analyst:** Chris Creighton (303-866-5834)

**BILL TOPIC:** TRANSPARENCY OF COMMUNITY-CENTERED BOARDS

Fiscal Impact Summary	FY 2016-2017	FY 2017-18
State Revenue		
State Expenditures	Workload increase	
<b>Appropriation Required:</b> None.		
<b>Future Year Impacts:</b> Ongoing state workload increase.		

**Summary of Legislation**

This bill requires a community centered board (CCB) that receives more than 75 percent of its annual funding from federal, state, or local governments, or any combination thereof, to be subject to the Colorado Local Government Audit Act. The Office of the State Auditor must conduct a performance audit of any CCB that exceeds the 75 percent government threshold to determine if the CCB is effectively and efficiently fulfilling its statutory obligations. Audits of CCBs are to occur in the five year period following the effective date of the bill and as requested by the Office of the State Auditor thereafter. This bill also requires each CCB to post information on their websites related to the board of directors and their meetings, financial statements, annual budgets, and other CCB business related information.

**Background**

CCBs provide case management services to individuals with intellectual and developmental disabilities. CCBs are private, for-profit or non-profit entities that support access to long-term services through Medicaid waivers for home and community based services to persons with intellectual and developmental disabilities. These waivers require CCBs to coordinate services to clients in the least restrictive setting possible with the goal of keeping them in their homes and communities as an alternative to institutional care. Currently there are 20 CCBs and it is expected that most will exceed the 75 percent governmental funding threshold established in the bill.

**State Expenditures**

This bill impacts workload in the Office of the State Auditor and the Department of Health Care Policy and Financing as discussed below.

**Office of the State Auditor.** This bill is expected to increase workload in the Office of the State Auditor. Under this bill, CCBs are required to have a certified public accountant conduct an annual audit and submit the results to the State Auditor. Minimal staff time is needed to receive and review these audits.

For CCBs that exceed the 75 percent governmental funding threshold, additional staff time will be needed to examine the department's annual audit workload and schedule a performance audit within five years. A performance audit of the CCBs will be conducted by existing staff as part of the department's annual audit workload and will not require additional appropriations.

**Health Care Policy and Financing.** This bill increases workload in the Department of Health Care Policy and Financing (HCPF). To implement this bill, additional staff time will be spent modifying contract language with the CCBs to include audit requirements and monitoring CCB compliance. Department staff may also need to respond to CCB related Colorado Open Records Act (CORA) requests and assist the Office of the State Auditor with audit documentation.

### **Effective Date**

The bill was signed into law by the Governor on June 1, 2016, and takes effect August 10, 2016, assuming no referendum petition is filed.

### **State Appropriations**

While this fiscal note does not estimate the need for an appropriation, the bill includes an appropriation of \$30,208 from the Intellectual and Development Disabilities Services Cash Fund to HCPF. This appropriation assumes HCPF will also receive \$30,208 federal funds for an additional 1.0 FTE to implement the bill.

### **Departmental Difference**

Under current law, HCPF is required to review each designated CCB to ensure compliance with statutory requirements and established rules. This bill expands CCB statutory requirements and HCPF estimates that \$66,665 General Fund and 1.0 FTE is needed as a result. According to HCPF, this position is necessary to draft and implement new CCB rules, change the CCB designation application, provide monthly and annual reviews of the CCB websites to ensure compliance, and respond to CCB related CORA requests. The fiscal note does not include this staff because HCPF currently has 1.0 FTE that monitors CCB compliance. While this bill initially increases workload to implement new rules and change the designation application, the monitoring of the CCBs is already being performed by existing staff and it is assumed that the additional monitoring required by this bill can be accomplished within existing appropriations.

### **State and Local Government Contacts**

Health Care Policy and Financing  
Information Technology

Human Services  
State Auditor