First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 05-0651.01 Kristen Forrestal

HOUSE BILL 05-1245

HOUSE SPONSORSHIP

Solano, and Madden

SENATE SPONSORSHIP

Tochtrop,

House Committees	**Senate Committees**
Health and Human Services	
Appropriations	

A BILL FOR AN ACT

CONCERNING THE REPORTING REQUIREMENTS REGARDING PERSONS RECEIVING PUBLIC HEALTH CARE BENEFITS, AND MAKING AN APPROPRIATION THEREFOR.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires an applicant for health care benefits administered by the department of health care policy and financing (state department), including, but not limited to, benefits provided pursuant to the "Colorado Medical Assistance Act" and the children's basic health plan, and a person requesting uncompensated care in a hospital to identify the employer or employers of the proposed beneficiary of the health care benefits, or if the beneficiary is not employed, the adult responsible for

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providing the beneficiary's support. Requires the state department to report annually to the general assembly regarding employers with 25 or more employees who are public health program beneficiaries. Requires the state department to make the report available to any person who requests such report.

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

SECTION 1. Part 2 of article 1 of title 25.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

25.5-1-203. Programs administered by the department - uncompensated care - reporting requirements. (1) AN APPLICANT FOR HEALTH CARE BENEFITS UNDER PROGRAMS ADMINISTERED BY THE STATE DEPARTMENT AND A PERSON REQUESTING UNCOMPENSATED CARE IN A HOSPITAL SHALL IDENTIFY THE EMPLOYER OR EMPLOYERS OF THE PROPOSED BENEFICIARY OF HEALTH CARE BENEFITS. IN THE EVENT THE PROPOSED BENEFICIARY IS NOT EMPLOYED, THE APPLICANT SHALL IDENTIFY THE EMPLOYER OR EMPLOYERS OF ANY ADULT WHO IS RESPONSIBLE FOR PROVIDING ALL OR SOME OF THE PROPOSED BENEFICIARY'S SUPPORT.

(2) ON OR BEFORE FEBRUARY 1 OF EACH YEAR, THE STATE DEPARTMENT SHALL TRANSMIT A REPORT TO THE GENERAL ASSEMBLY IDENTIFYING ALL EMPLOYERS IDENTIFIED PURSUANT TO THE APPLICATION REQUIREMENTS IN SUBSECTION (1) OF THIS SECTION WHO EMPLOY FIFTY OR MORE PUBLIC HEALTH PROGRAM BENEFICIARIES. IN DETERMINING WHETHER THE FIFTY-EMPLOYEE THRESHOLD IS MET, THE STATE DEPARTMENT SHALL INCLUDE ALL PUBIC HEALTH PROGRAM BENEFICIARIES EMPLOYED BY THE EMPLOYER AND ITS SUBSIDIARIES AT ALL LOCATIONS WITHIN THE STATE. THE REPORT SHALL INCLUDE EACH EMPLOYER'S NAME,

LOCATION OR LOCATIONS, THE TOTAL NUMBER OF EMPLOYEES AND DEPENDENTS WHO ARE ENROLLED IN EACH STATE DEPARTMENT ADMINISTERED HEALTH CARE PROGRAM, AND THE TOTAL COST TO THE STATE FOR PROVIDING HEALTH CARE BENEFITS FOR THE EMPLOYEES AND ENROLLED DEPENDENTS OF EACH NAMED EMPLOYER. THE REPORT SHALL NOT INCLUDE INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION AS DEFINED BY 45 CFR SECTION 160.103 AND SHALL BE SUBJECT TO PRIVACY STANDARDS PURSUANT TO THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", 42 U.S.C. SEC. 1320d TO 1320d-8, AS AMENDED.

(3) ANY MEMBER OF THE PUBLIC HAS A RIGHT TO REQUEST A COPY OF THE REPORT PROVIDED TO MEMBERS OF THE GENERAL ASSEMBLY PURSUANT TO SUBSECTION (2) OF THIS SECTION, AND THE STATE DEPARTMENT SHALL MAKE SUCH REPORT AVAILABLE TO THE PERSON MAKING THE REQUEST.

(4) FOR THE PURPOSES OF THIS SECTION, "PROPOSED BENEFICIARY" MEANS AN INDIVIDUAL WHO FILES AN APPLICATION FOR BENEFITS OR HOSPITAL CARE FOR HIMSELF OR HERSELF, OR FOR ANOTHER INDIVIDUAL ON WHOSE BEHALF AN APPLICATION IS FILED, INCLUDING BUT NOT LIMITED TO CHILDREN OR OTHER DEPENDENTS OF THE APPLICANT OR OTHER INDIVIDUAL FOR WHOM THE APPLICATION IS FILED.

SECTION 2. Appropriation - adjustments in 2005 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing, department of human services medicaid-funded programs, office of information technology services-medicaid funding, Colorado

benefits management system for the fiscal year beginning July 1, 2005, shall be increased by sixty-three thousand one hundred sixty dollars ($63,160). Of said sum, thirty-one thousand five hundred eighty dollars ($31,580) shall be from the general fund and thirty-one thousand five hundred eighty dollars ($31,580) shall be from federal funds.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services, office of information technology services, Colorado benefits management system for the fiscal year beginning July 1, 2005, shall be increased by sixty-three thousand one hundred sixty dollars ($63,160). Said sum shall be a cash fund exempt transfer of medicaid funds appropriated to the department of health care policy and financing.

(3) It is the intent of the general assembly that the general fund appropriation in subsection (1) of this section shall be derived from savings generated from the implementation of the provisions of House Bill 05-1243, as enacted during the First Regular Session of the Sixty-fifth General Assembly.

SECTION 3. Effective date. (1) Except as otherwise provided in subsection (2) of this section, this act shall take effect upon passage.

(2) This act shall only take effect if:

(a) The final fiscal estimate for House Bill 05-1243, as reflected in the appropriations clause for said act, shows a net general fund savings that is equal to or greater than the final general fund fiscal estimate for this act, as reflected in section 2 of this act; and

(b) House Bill 05-1243 is enacted at the First Regular Session of the Sixty-fifth General Assembly and becomes law.