

**First Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 05-0651.01 Kristen Forrester

**HOUSE BILL 05-1245**

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**HOUSE SPONSORSHIP**

**Solano,** and Madden

**SENATE SPONSORSHIP**

**Tochtrop,**

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**House Committees**

Health and Human Services  
Appropriations

**Senate Committees**

Health and Human Services  
Appropriations

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**A BILL FOR AN ACT**

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

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**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

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  
3rd Reading Unamended  
April 14, 2005

HOUSE  
Amended 2nd Reading  
April 8, 2005

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.

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

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

5 **25.5-1-203. Programs administered by the department -**  
6 **uncompensated care - reporting requirements.** (1) AN APPLICANT FOR  
7 HEALTH CARE BENEFITS UNDER PROGRAMS ADMINISTERED BY THE STATE  
8 DEPARTMENT AND A PERSON REQUESTING UNCOMPENSATED CARE IN A  
9 HOSPITAL SHALL IDENTIFY THE EMPLOYER OR EMPLOYERS OF THE  
10 PROPOSED BENEFICIARY OF HEALTH CARE BENEFITS. IN THE EVENT THE  
11 PROPOSED BENEFICIARY IS NOT EMPLOYED, THE APPLICANT SHALL  
12 IDENTIFY THE EMPLOYER OR EMPLOYERS OF ANY ADULT WHO IS  
13 RESPONSIBLE FOR PROVIDING ALL OR SOME OF THE PROPOSED  
14 BENEFICIARY'S SUPPORT.

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

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

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

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

22

23 **SECTION 2. Appropriation - adjustments in 2005 long bill. (1)**

24 For the implementation of this act, appropriations made in the annual  
25 general appropriation act to the department of health care policy and  
26 financing, department of human services medicaid-funded programs,  
27 office of information technology services-medicaid funding, Colorado

1 benefits management system for the fiscal year beginning July 1, 2005,  
2 shall be increased by sixty-three thousand one hundred sixty dollars  
3 (\$63,160). Of said sum, thirty-one thousand five hundred eighty dollars  
4 (\$31,580) shall be from the general fund and thirty-one thousand five  
5 hundred eighty dollars (\$31,580) shall be from federal funds.

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

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

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

20 (2) This act shall only take effect if:

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

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