

**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. 05-0138.01 Michele Hanigsberg

HOUSE BILL 05-1025

HOUSE SPONSORSHIP

Stafford, Marshall, and Green

SENATE SPONSORSHIP

Hagedorn, Anderson, Shaffer, and Dyer

House Committees

Health and Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ELIGIBILITY UNDER THE "COLORADO MEDICAL**
102 **ASSISTANCE ACT".**

Bill Summary

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

Allows a pregnant woman to be presumptively eligible for specified services under the state's medicaid program. Authorizes the department of health care policy and financing to designate additional medical assistance sites, as necessary, to accept medical assistance applications, to determine medical assistance eligibility, and to determine presumptive eligibility.

Makes conforming changes.

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.

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

2 **SECTION 1.** Part 3 of article 4 of title 26, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **26-4-304. Presumptive eligibility - pregnant women - state**
6 **plan.** (1) A PREGNANT WOMAN SHALL BE PRESUMPTIVELY ELIGIBLE FOR
7 THE MEDICAL ASSISTANCE PROGRAM AND SHALL RECEIVE SERVICES
8 SPECIFIED BY FEDERAL LAW IF:

9 (a) THE WOMAN IS PREGNANT; AND

10 (b) THE WOMAN MEETS THE FINANCIAL CRITERIA ESTABLISHED IN
11 RULE BY THE STATE BOARD.

12 (2) THE STATE DEPARTMENT SHALL MAKE ANY NECESSARY
13 CHANGES TO THE STATE PLAN TO COMPLY WITH THIS SECTION.

14 **SECTION 2.** 26-4-106 (1) (a) and (6), Colorado Revised
15 Statutes, are amended to read:

16 **26-4-106. Application - verification of eligibility - repeal.**

17 (1) (a) Determination of eligibility for medical benefits shall be made by
18 the county department in which the applicant resides, except as otherwise
19 specified in this section. Local social security offices also determine
20 eligibility for medicaid benefits at the same time they determine
21 eligibility for supplemental security income. The state department may
22 accept medical assistance applications and determine medical assistance
23 eligibility and may designate the private service contractor that
24 administers the children's basic health plan, Denver health and hospitals,
25 ~~and~~ a hospital that is designated as a regional pediatric trauma center, as
26 defined in section 25-3.5-703 (4) (f), C.R.S., AND OTHER MEDICAL

1 ASSISTANCE SITES DETERMINED NECESSARY BY THE STATE DEPARTMENT
2 to accept medical assistance applications, ~~and~~ to determine medical
3 assistance eligibility, AND TO DETERMINE PRESUMPTIVE ELIGIBILITY. Any
4 person who is determined to be eligible pursuant to the requirements of
5 this article shall be eligible for benefits until such person is determined
6 to be ineligible. Upon determination that any person is ineligible for
7 medical benefits, the county department, the state department, or other
8 entity designated by the state department shall notify the applicant in
9 writing of its decision and the reason therefor. Separate determination of
10 eligibility and formal application for benefits under this article for
11 persons eligible as provided in sections 26-4-201 and 26-4-301 shall be
12 made in accordance with the rules of the state department.

13 (6) On or before December 1, 2005, the state department shall
14 report to the ~~health, environment, welfare, and institutions~~ HEALTH AND
15 HUMAN SERVICES committees of the house of representatives and the
16 senate the progress of the private service contractor that administers the
17 children's basic health plan, ~~and~~ Denver health and hospitals, AND ANY
18 OTHER MEDICAL ASSISTANCE SITE in accepting medical assistance
19 applications, ~~and~~ determining medical assistance eligibility, AND
20 DETERMINING PRESUMPTIVE ELIGIBILITY pursuant to subsection (1) of this
21 section. ~~The state department shall include in the report~~
22 ~~recommendations regarding the advisability of additional medical~~
23 ~~assistance sites.~~

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