

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB21-286 be amended as follows:

1 Amend printed bill, page 9, lines 21 and 22, strike "TWO HUNDRED
2 TWENTY-FIVE MILLION SEVEN HUNDRED THIRTY-FIVE THOUSAND FIFTEEN
3 DOLLARS" and substitute "TWO HUNDRED SIXTY MILLION SEVEN HUNDRED
4 THIRTY THOUSAND NINETY-NINE DOLLARS".

5 Page 10, line 13, strike "FUND." and substitute "GENERAL FUND.".

6 Page 11, after line 7 insert:

7 **"SECTION 2.** In Colorado Revised Statutes, 25.5-4-402.4, **add**
8 **(5)(c)** as follows:

9 **25.5-4-402.4. Hospitals - healthcare affordability and**
10 **sustainability fee - legislative declaration - Colorado healthcare**
11 **affordability and sustainability enterprise - federal waiver - fund**
12 **created - rules - reports - repeal. (5) Healthcare affordability and**
13 **sustainability fee cash fund. (c) ARPA home- and community-based**
14 **services account.** (I) THERE IS CREATED THE "ARPA HOME- AND
15 COMMUNITY-BASED SERVICES ACCOUNT" WITHIN THE FUND, REFERRED TO
16 IN THIS SUBSECTION (5)(c) AS THE "ARPA ACCOUNT". NOTWITHSTANDING
17 ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, MONEY IN THE
18 ARPA ACCOUNT AS A RESULT OF FUND SAVINGS AND FEDERAL MATCHING
19 DOLLARS MUST BE USED IN ACCORDANCE WITH SECTION 9817 OF THE
20 FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS
21 AMENDED, REFERRED TO IN THIS SECTION AS "ARPA", TO IMPLEMENT OR
22 SUPPLEMENT THE IMPLEMENTATION OF HOME- AND COMMUNITY-BASED
23 SERVICES UNDER THE MEDICAL ASSISTANCE PROGRAM PURSUANT TO THE
24 PROVISIONS OF PART 17 OF ARTICLE 6 OF THIS TITLE 25.5.

25 (II) (A) ON THE EFFECTIVE DATE OF THIS SUBSECTION (5)(c), THE
26 STATE TREASURER SHALL TRANSFER NINETEEN MILLION EIGHT HUNDRED
27 THIRTY THOUSAND NINE HUNDRED EIGHTEEN DOLLARS FROM THE FUND TO
28 THE ARPA ACCOUNT.

29 (B) IF THE FUND SAVINGS DUE TO THE ENHANCED FEDERAL MATCH
30 UNDER ARPA IS GREATER THAN THE AMOUNT TRANSFERRED TO THE
31 ARPA ACCOUNT UNDER SUBSECTION (5)(c)(II)(A) OF THIS SECTION, THEN
32 THE STATE DEPARTMENT SHALL NOTIFY THE STATE TREASURER OF THE
33 AMOUNT BY WHICH THE SAVINGS EXCEEDS THE TRANSFER. THE STATE
34 TREASURER SHALL TRANSFER THIS AMOUNT FROM THE FUND TO THE
35 ARPA ACCOUNT.

36 (C) IF THE FUND SAVINGS DUE TO THE ENHANCED FEDERAL MATCH
37 UNDER ARPA IS LESS THAN THE AMOUNT TRANSFERRED TO THE ARPA
38 ACCOUNT UNDER SUBSECTION (5)(c)(II)(A) OF THIS SECTION, THEN THE
39 STATE DEPARTMENT SHALL NOTIFY THE STATE TREASURER OF THE

1 AMOUNT BY WHICH THE TRANSFER EXCEEDS THE SAVINGS. THE STATE
2 TREASURER SHALL TRANSFER THIS AMOUNT FROM THE ARPA ACCOUNT
3 TO THE FUND.

4 (III) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
5 INCOME DERIVED FROM THE MONEY IN THE ARPA ACCOUNT TO THE FUND.

6 (IV) MONEY IN THE ARPA ACCOUNT IS SUBJECT TO ANNUAL
7 APPROPRIATION BY THE GENERAL ASSEMBLY CONSISTENT WITH THE
8 PURPOSES SPECIFIED IN THIS SECTION AND ARPA, AND PURSUANT TO PART
9 17 OF ARTICLE 6 OF THIS TITLE 25.5.

10 (V) MONEY IN THE ARPA ACCOUNT REMAINS IN THE ARPA
11 ACCOUNT UNTIL THE END OF THE SPENDING PERIOD AUTHORIZED UNDER
12 ARPA, AT WHICH TIME MONEY REMAINING IN THE ARPA ACCOUNT
13 BECOMES PART OF THE FUND.

14 (VI) THIS SUBSECTION (5)(c) IS REPEALED, EFFECTIVE JULY 1,
15 2025.".

16 Page 11, line 9, strike "\$432,656" and substitute "\$378,843".

17 Page 11, line 11, strike "general fund" and substitute "the home- and
18 community-based services improvement fund created in section
19 25.5-6-1705 (1), C.R.S.".

20 Page 11, line 13, strike "\$245,456" and substitute "\$172,768".

21 Page 11, line 14, strike "and".

22 Page 11, after line 14 insert:

23 "(b) \$18,875 for operating expenses; and".

24 Reletter succeeding paragraph accordingly.

25 Page 11, line 19, strike "\$432,656" and substitute "\$378,843".

26 Page 11, line 24, strike "\$245,456" and substitute "\$172,768" and strike
27 "and".

28 Page 11, after line 24 insert:

29 "(b) \$18,875 for operating expenses; and".

30 Reletter succeeding paragraph accordingly.

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