

- 1 THEREAFTER," and substitute "YEAR,".
- 2 Page 10, line 19, strike "THE APPLICABLE".
- 3 Page 10, strike lines 20 and 21 and substitute "THAT BENEFIT YEAR BY
4 MARCH 15, 2020. IN SETTING THE PAYMENT PARAMETERS.".
- 5 Page 11, line 6, strike "APPROVED".
- 6 Page 13, line 26, strike "APPROPRIATED" and substitute "EXPENDED".
- 7 Page 14, line 18, strike "1 EACH YEAR THEREAFTER," and substitute "1,
8 2021,".
- 9 Page 15, line 3, strike "AND".
- 10 Page 15, line 5, strike "10-16-1108." and substitute "10-16-1108;
11 (III) THE FOLLOWING AMOUNTS TRANSFERRED FROM THE GENERAL
12 FUND TO THE REINSURANCE PROGRAM CASH FUND, BUT ONLY IF HOUSE
13 BILL 19-1245 IS ENACTED AT THE FIRST REGULAR SESSION OF THE
14 SEVENTY-SECOND GENERAL ASSEMBLY AND BECOMES LAW:
15 (A) FIFTEEN MILLION DOLLARS, TRANSFERRED TO THE FUND ON
16 JUNE 30, 2020; AND
17 (B) FORTY MILLION DOLLARS, TRANSFERRED TO THE FUND ON
18 JUNE 30, 2021;
19 (IV) AN AMOUNT OF PREMIUM TAX REVENUES DEPOSITED IN THE
20 FUND PURSUANT TO SECTION 10-3-209 (4)(a)(III); AND
21 (V) ANY MONEY THE GENERAL ASSEMBLY APPROPRIATES TO THE
22 FUND FOR THE PROGRAM.".
- 23 Page 15, line 6, after "INTO" insert "OR APPROPRIATED TO".
- 24 Page 15, line 27, strike "BENEFIT YEAR," and substitute "AND 2021
25 BENEFIT YEARS, AS APPLICABLE,".
- 26 Page 16, strike lines 1 through 23 and substitute "COMMISSIONER MAY
27 ASSESS SPECIAL FEES AGAINST HOSPITALS, SUBJECT TO THE FOLLOWING:
28 (A) FEES ASSESSED AGAINST HOSPITALS MUST COMPLY WITH AND
29 NOT VIOLATE 42 CFR 433.68 AND, IN ANY YEAR, MUST NOT EXCEED THE
30 LESSER OF FORTY MILLION DOLLARS OR THE MAXIMUM AMOUNT ALLOWED
31 UNDER 42 CFR 433.68;".

- 1 Page 16, strike line 27.
- 2 Page 17, strike lines 1 through 4.
- 3 Renumber succeeding subparagraph accordingly.
- 4 Page 17, strike lines 19 through 25 and substitute "SECTION 9010 OF THE
5 FEDERAL ACT."
- 6 Page 18, after line 1 insert:
- 7 "(c) THE COMMISSIONER SHALL USE THE SPECIAL FEES ASSESSED
8 PURSUANT TO THIS SUBSECTION (1) TO PAY THE ADMINISTRATIVE AND
9 OPERATING EXPENSES OF THE REINSURANCE PROGRAM, INCLUDING
10 REINSURANCE PAYMENTS AND EXPENSES OF THE PROGRAM, THE
11 COMMISSIONER, AND THE DIVISION."
- 12 Reletter succeeding paragraph accordingly.
- 13 Page 19, after line 13 insert:
- 14 "(4) PRIOR TO ASSESSING SPECIAL FEES AGAINST HOSPITALS
15 PURSUANT TO THIS SECTION, THE STATE SHALL REQUEST THE SECRETARY
16 OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES
17 TO DETERMINE IF THE SPECIAL FEES ASSESSED ON HOSPITALS PURSUANT TO
18 THIS SECTION, IN COMBINATION WITH ANY OTHER HEALTH-CARE-RELATED
19 FEES, TAXES, AND ASSESSMENTS IMPOSED ON HOSPITALS BY THE STATE
20 THAT ARE SUBJECT TO 42 CFR 433.55, COMPLY WITH 42 CFR 433. IF THE
21 SECRETARY DECLINES OR OTHERWISE FAILS TO AFFIRM COMPLIANCE WITH
22 42 CFR 433 IN WRITING SUCH THAT FEDERAL FINANCIAL PARTICIPATION
23 IN THE COLORADO MEDICAID PROGRAM PURSUANT TO 42 CFR 433 MAY BE
24 AT RISK, THE COMMISSIONER SHALL NOT ASSESS SPECIAL FEES AGAINST
25 HOSPITALS PURSUANT TO THIS SECTION."
- 26 Renumber succeeding subsection accordingly.
- 27 Page 19, line 25, strike "FIVE-YEAR" and substitute "TWO-YEAR".
- 28 Page 21, line 18, strike "2024." and substitute "2023."
- 29 Page 21, strike lines 19 through 27.

1 Page 22, strike line 1 and substitute:

2 "SECTION 2. In Colorado Revised Statutes, 10-3-209, amend
3 (4)(a) as follows:

4 **10-3-209. Tax on premiums collected - exemptions - penalties.**

5 (4) (a) The division of insurance shall transmit all taxes, penalties, and
6 fines it collects under this section to the state treasurer for deposit in the
7 general fund; except that the state treasurer shall deposit amounts in the
8 specified cash funds as follows:

9 (I) In the division of insurance cash fund created in section
10 10-1-103 (3), an amount that is equal to the general assembly's
11 appropriation from the fund to the division for its direct and indirect
12 expenditures less the total fee revenue that is deposited in the fund;
13 except that the amount deposited in the fund under this subparagraph (I)
14 ~~may~~ SHALL not exceed five percent of all taxes collected under this
15 section; ~~and~~

16 (II) In the wildfire emergency response fund created in section
17 24-33.5-1226 ~~C.R.S.~~, and the wildfire preparedness fund created in
18 section 24-33.5-1227, ~~C.R.S.~~, the amount of the taxes, penalties, and fines
19 that the general assembly appropriates to each of the cash funds;

20 (III) FOR THE 2020-21 FISCAL YEAR, IN THE REINSURANCE
21 PROGRAM CASH FUND CREATED IN SECTION 10-16-1107, THE AMOUNT OF
22 PREMIUM TAXES COLLECTED PURSUANT TO THIS SECTION IN THE 2020
23 CALENDAR YEAR THAT EXCEEDS THE AMOUNT OF PREMIUM TAXES
24 COLLECTED PURSUANT TO THIS SECTION IN THE 2019 CALENDAR YEAR;
25 AND

26 (IV) FOR THE 2021-22 FISCAL YEAR, IN THE REINSURANCE
27 PROGRAM CASH FUND CREATED IN SECTION 10-16-1107, THE AMOUNT OF
28 PREMIUM TAXES COLLECTED PURSUANT TO THIS SECTION IN THE 2021
29 CALENDAR YEAR THAT EXCEEDS THE AMOUNT OF PREMIUM TAXES
30 COLLECTED PURSUANT TO THIS SECTION IN THE 2020 CALENDAR YEAR."

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