

HOUSE COMMITTEE OF REFERENCE REPORT

March 26, 2021

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Chair of Committee

\_\_\_\_\_  
Date

Committee on Public & Behavioral Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB21-1187 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, line 26, after "THAT" insert "IS AN  
2 ADMINISTRATOR OF LOCALLY GENERATED FUNDING PURSUANT TO SECTION  
3 25.5-10-206 (6) AND".
- 4 Page 4, line 14, strike "ORGANIZATION" and substitute "ORGANIZATION,  
5 WHICH MAY INCLUDE A COMMUNITY-CENTERED BOARD,".
- 6 Page 5, line 25, after "(3)" insert "(a)".
- 7 Page 5, line 27, after "SECTION." insert "THE COMPETITIVE SOLICITATION  
8 MUST INCLUDE A REIMBURSEMENT STRUCTURE DEVELOPED THROUGH A  
9 FISCAL ANALYSIS.  
10 (b) NO LATER THAN JANUARY 31, 2023, THE STATE DEPARTMENT  
11 SHALL PROVIDE AN UPDATE ON THE STATUS OF THE IMPLEMENTATION OF  
12 THIS PART 17 TO THE JOINT BUDGET COMMITTEE OF THE GENERAL  
13 ASSEMBLY AS PART OF ITS ANNUAL PRESENTATION TO THAT COMMITTEE.".
- 14 Page 11, after line 15, insert:  
15 "(g) TO SAFEGUARD THE HEALTH AND SAFETY OF AN AT-RISK  
16 MEMBER BY COORDINATING APPROPRIATE SERVICES AND MEDICAL  
17 SUPPORTS;".
- 18 Reletter succeeding paragraphs accordingly.

- 1 Page 16, line 1, strike "ENTITY" and substitute "ORGANIZATION".
- 2 Page 29, line 17, after "AGENCY" insert "OR AN ENTITY, AS THOSE TERMS  
3 ARE DEFINED IN SECTION 25.5-6-1702,".
- 4 Page 29, line 22, strike "or" and substitute "ør".
- 5 Page 29, line 23, strike "AGENCY," and substitute "AGENCY, OR AN  
6 ENTITY, AS THOSE TERMS ARE DEFINED IN SECTION 25.5-6-1702,".
- 7 Page 30, line 8, strike "AGENCIES," and substitute "AGENCIES OR  
8 ENTITIES,".
- 9 Page 30, line 9, strike "DEFINED IN SECTION 25.5-6-1702 (2)," and  
10 substitute "THOSE TERMS ARE DEFINED IN SECTION 25.5-6-1702,".
- 11 Page 30, line 18, after "AGENCIES" insert "OR ENTITIES".
- 12 Page 30, line 23, after "AGENCIES," insert "ENTITIES,".
- 13 Page 32, strike line 3 and substitute "**amend** the introductory portion; and  
14 **repeal** (1.5) as".
- 15 Page 32, strike lines 7 through 17.
- 16 Page 34, line 25, strike "AGENCIES" and substitute "AGENCIES, AS DEFINED  
17 IN SECTION 25.5-6-1702,".
- 18 Page 35, line 10, strike "(3)" and substitute "(3); and **add** (2.5)".
- 19 Page 35, after line 12 insert:  
20 "(2.5) "CASE MANAGEMENT AGENCY" HAS THE SAME MEANING AS  
21 SET FORTH IN SECTION 25.5-6-1702 (2).".
- 22 Page 35, strike lines 14 and 15 and substitute "~~community-centered~~  
23 ~~boards, as defined by section 25.5-10-202~~ CASE MANAGEMENT AGENCIES  
24 and community mental".
- 25 Page 38, line 12, after "agencies," insert "AS DEFINED IN SECTION  
26 25.5-6-1702,".



- 1 Page 40, strike line 2 and substitute "(1), (3.3)(b), and (4); and **add** (2.5)  
2 as follows:".
- 3 Page 40, line 7, strike "~~section.~~" and substitute "~~section~~ CASE  
4 MANAGEMENT AGENCY" HAS THE SAME MEANING AS SET FORTH IN  
5 SECTION 25.5-6-1702 (2).  
6 (2.5) "ENTITY" HAS THE SAME MEANING AS SET FORTH IN SECTION  
7 25.5-6-1702 (8)."
- 8 Page 40, strike line 23 and substitute "(2)(e) as follows:".
- 9 Page 40, strike lines 26 and 27.
- 10 Page 41, strike lines 1 through 3.
- 11 Page 41, line 4, strike "(e)" and substitute "(2) (e)".
- 12 Page 41, line 9, before "ENTITIES" insert "CASE MANAGEMENT AGENCIES  
13 AND".
- 14 Page 41, line 10, strike "systems." and substitute "systems, AS DEFINED IN  
15 42 CFR 447.10 (b)."
- 16 Page 43, line 27, strike "AGENCIES" and substitute "AGENCIES, AS DEFINED  
17 IN SECTION 25.5-6-1702,".
- 18 Page 45, line 22, strike "(4)" and substitute "(4); and **add** (15.3)".
- 19 Page 47, after line 8, insert:  
20 "(15.3) "ENTITY" HAS THE SAME MEANING AS SET FORTH IN  
21 SECTION 25.5-6-1702 (8)."
- 22 Page 51, line 11, after "~~board~~" insert "~~providing~~" and strike "providing"  
23 and substitute "PURCHASING".
- 24 Page 54, strike line 6, and substitute "**amend** (2) introductory portion,  
25 (2)(b), (2)(d), (2)(f), (3), and (4); and **repeal** (2)(c)".
- 26 Page 54, lines 8 and 9, strike "**contractors of access and case**  
27 **management services**" and substitute "**case management agencies**".



1 Page 54, strike lines 20 through 27 and substitute:  
2 "~~(c) Delineation of a system to resolve contractual disputes~~  
3 ~~between the state department and designated community-centered boards,~~  
4 ~~service agencies, or case management agencies, and between designated~~  
5 ~~community-centered boards and service agencies, including the~~  
6 ~~contesting of any rates that the designated community-centered boards~~  
7 ~~charge to service agencies based upon a percentage of the rates that~~  
8 ~~service agencies charge for services and supports;".~~

9 Page 57, line 9, strike "service providers AGENCIES" and substitute  
10 "~~service providers~~ CASE MANAGEMENT AGENCIES OR ENTITIES".

11 Page 57, line 24, strike "SERVICE AGENCIES" and substitute "CASE  
12 MANAGEMENT AGENCIES OR ENTITIES".

13 Page 59, strike line 15 and substitute "(1)(b)(III), (2), and (5); and **repeal**  
14 (1)(a) as follows:".

15 Page 59, lines 16 and 17, strike "**Adult foster care and home care**  
16 **allowance. (1) (b) (III)**" and substitute "**Home care allowance.**  
17 (1) (a) ~~(f)~~ The state department, subject to available appropriations, may  
18 provide adult foster care for persons eligible to receive old age pension,  
19 aid to the needy disabled, or aid to the blind. For purposes of this  
20 paragraph (a), "adult foster care" means care and services that, in addition  
21 to room and board, may include, but are not limited to, personal services,  
22 recreational opportunities, transportation, utilization of volunteer services,  
23 and special diets. Such care and services are provided to recipients of  
24 federal supplemental security income benefits who are also eligible for  
25 the Colorado supplement program for aid to the needy disabled or aid to  
26 the blind and who do not require skilled nursing care or intermediate  
27 health care and cannot remain in or return to their residences but who  
28 need to reside in a supervised nonmedical setting on a twenty-four-hour  
29 basis. Those persons with intellectual and developmental disabilities as  
30 defined in section 25.5-10-202, C.R.S., or who are receiving or are  
31 eligible to receive services pursuant to article 10 of title 25.5, C.R.S., or  
32 any provision of title 27, C.R.S., do not qualify for adult foster care under  
33 this paragraph (a):

34 ~~(H) Adult foster care facilities shall be licensed by the department~~  
35 ~~of public health and environment pursuant to section 25-27-105, C.R.S.~~

36 (b) (III)".



- 1 Page 60, after line 23 insert:  
2 "(2) The state department shall administer ~~the adult foster care~~  
3 ~~program~~ and the home care allowance program. The executive director or  
4 the state board, as appropriate, shall promulgate rules necessary for the  
5 implementation of this section."
- 6 Page 60, line 26, strike "and adult foster care programs" and substitute  
7 "~~and adult foster care programs~~".
- 8 Page 61, strike line 7 and substitute "AGENCIES, AS DEFINED IN SECTION  
9 25.5-6-1702;"
- 10 Page 61, line 27, after "AGENCIES," insert "AS DEFINED IN SECTION  
11 25.5-6-1702,"
- 12 Page 65, line 18, strike "(1)," and strike "(3)(c),"
- 13 Page 65, line 19, strike "(4)" and substitute "(4); and **repeal** (1) and  
14 (3)(c)".
- 15 Page 65, strike lines 21 through 24 and substitute "**service agency -**  
16 **money - rules.** (1) ~~A service agency, including a community-centered~~  
17 ~~board when acting as a service agency, shall comply with the~~  
18 ~~requirements set forth in this article and the rules promulgated~~  
19 ~~thereunder."~~
- 20 Page 66, strike lines 9 through 16 and substitute:  
21 "(c) ~~Delineation of a system to resolve contractual disputes~~  
22 ~~between the department and designated community-centered boards or~~  
23 ~~service agencies and between designated community-centered boards and~~  
24 ~~service agencies, including the contesting of any rates that the designated~~  
25 ~~community-centered boards charge to service agencies based upon a~~  
26 ~~percentage of the rates that service agencies charge for services and~~  
27 ~~supports;"~~
- 28 Page 67, line 22, strike "SECTION 25.5-6-1708" and substitute "SECTION  
29 25.5-6-1703".
- 30 Page 68, strike lines 25 through 27 and substitute "a ~~community-centered~~  
31 ~~board or other entity designated by the department of health care policy~~  
32 ~~and financing pursuant to section 25.5-10-209, C.R.S., CASE~~



1 MANAGEMENT AGENCY OR AN ENTITY, AS THOSE TERMS ARE DEFINED IN  
2 SECTION 25.5-6-1702, THAT HAS ENTERED INTO A CONTRACT WITH THE  
3 DEPARTMENT to perform the".

4 Page 69, strike lines 3 through 5 and substitute "section 27-10.5-104 (4),  
5 if ~~the department of health care policy and financing is unable to~~  
6 ~~designate a community-centered board or other entity~~ THERE IS NOT A  
7 CASE MANAGEMENT AGENCY OR AN ENTITY AND THE DEPARTMENT IS  
8 UNABLE TO DESIGNATE AN ORGANIZATION to serve as the broker for a".

9 Page 69, line 12, strike "(3)(f)" and substitute "(3)(f), (3)(g), and (3)(h);  
10 and **add** (3)(i)".

11 Page 69, after line 20 insert:

12 "(g) To monitor and evaluate early intervention services provided  
13 through this part 7; and

14 (h) To coordinate contracts, expenditures, and billing for early  
15 intervention services provided through this part 7; AND

16 (i) TO CERTIFY EARLY INTERVENTION SERVICE BROKERS WITHIN A  
17 DEFINED SERVICE AREA."

18 Page 70, strike lines 8 through 10 and substitute "~~centered-boards as the~~  
19 ~~single entry point~~ CERTIFIED EARLY INTERVENTION SERVICE BROKERS for  
20 a family ~~into the developmental disabilities system, as described in~~  
21 ~~section 27-10.5-102 (3)~~ TO ACCESS EARLY INTERVENTION SERVICES AND  
22 SUPPORTS; and".

23 Page 70, lines 23 and 24, strike "CASE MANAGEMENT AGENCIES or" and  
24 substitute "or".

25 Page 70, line 25, strike "CASE MANAGEMENT AGENCIES,".

26 Page 70, line 26, strike "certified" and substitute "Certified" and strike  
27 "brokers," and substitute "brokers".

28 Page 71, lines 3 and 4, strike "CASE MANAGEMENT AGENCIES and  
29 certified" and substitute "and Certified".

30 Page 71, lines 22 and 23, strike "CASE MANAGEMENT AGENCIES or other  
31 entities as determined by the department as" and substitute "~~or other~~  
32 ~~entities as determined by the department as~~".



1 After "AGENCY," insert "AS DEFINED IN SECTION 25.5-6-1702," on: **Page**  
2 **25**, line 22; **Page 31**, line 21; and **Page 73**, line 10.

3 Strike "AGENCY" and substitute "AGENCY, AS DEFINED IN SECTION  
4 25.5-6-1702," on: **Page 26**, line 13; **Page 27**, lines 8 and 20; **Page 28**,  
5 lines 16 and 21; **Page 29**, line 4; **Page 43**, line 17; **Page 44**, line 6; and  
6 **Page 63**, lines 11 and 22.

7 Strike "CASE MANAGEMENT AGENCIES," and substitute "CERTIFIED EARLY  
8 INTERVENTION SERVICE BROKERS," on: **Page 69**, line 17; **Page 70**, line 1;  
9 and **Page 70**, lines 11 and 12.

10 Strike "CASE MANAGEMENT AGENCY" and substitute "CERTIFIED EARLY  
11 INTERVENTION SERVICE BROKER" on: **Page 71**, lines 10 and 14; and **Page**  
12 **72**, lines 2 and 3.

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