

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 26, 2021

Committee on Appropriations.

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

SB21-286 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

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**

1 SUPPLEMENT THE IMPLEMENTATION OF HOME- AND COMMUNITY-BASED
2 SERVICES UNDER THE MEDICAL ASSISTANCE PROGRAM PURSUANT TO THE
3 PROVISIONS OF PART 17 OF ARTICLE 6 OF THIS TITLE 25.5.

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

8 (B) IF THE FUND SAVINGS DUE TO THE ENHANCED FEDERAL MATCH
9 UNDER ARPA IS GREATER THAN THE AMOUNT TRANSFERRED TO THE
10 ARPA ACCOUNT UNDER SUBSECTION (5)(c)(II)(A) OF THIS SECTION, THEN
11 THE STATE DEPARTMENT SHALL NOTIFY THE STATE TREASURER OF THE
12 AMOUNT BY WHICH THE SAVINGS EXCEEDS THE TRANSFER. THE STATE
13 TREASURER SHALL TRANSFER THIS AMOUNT FROM THE FUND TO THE
14 ARPA ACCOUNT.

15 (C) IF THE FUND SAVINGS DUE TO THE ENHANCED FEDERAL MATCH
16 UNDER ARPA IS LESS THAN THE AMOUNT TRANSFERRED TO THE ARPA
17 ACCOUNT UNDER SUBSECTION (5)(c)(II)(A) OF THIS SECTION, THEN THE
18 STATE DEPARTMENT SHALL NOTIFY THE STATE TREASURER OF THE
19 AMOUNT BY WHICH THE TRANSFER EXCEEDS THE SAVINGS. THE STATE
20 TREASURER SHALL TRANSFER THIS AMOUNT FROM THE ARPA ACCOUNT
21 TO THE FUND.

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

24 (IV) MONEY IN THE ARPA ACCOUNT IS SUBJECT TO ANNUAL
25 APPROPRIATION BY THE GENERAL ASSEMBLY CONSISTENT WITH THE
26 PURPOSES SPECIFIED IN THIS SECTION AND ARPA, AND PURSUANT TO PART
27 17 OF ARTICLE 6 OF THIS TITLE 25.5.

28 (V) MONEY IN THE ARPA ACCOUNT REMAINS IN THE ARPA
29 ACCOUNT UNTIL THE END OF THE SPENDING PERIOD AUTHORIZED UNDER
30 ARPA, AT WHICH TIME MONEY REMAINING IN THE ARPA ACCOUNT
31 BECOMES PART OF THE FUND.

32 (VI) THIS SUBSECTION (5)(c) IS REPEALED, EFFECTIVE JULY 1,
33 2025."

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

35 Page 11, line 11, strike "general fund" and substitute "the home- and
36 community-based services improvement fund created in section
37 25.5-6-1705 (1), C.R.S."

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



- 1 Page 11, line 14, strike "and".
- 2 Page 11, after line 14 insert:
 - 3 "(b) \$18,875 for operating expenses; and".
- 4 Reletter succeeding paragraph accordingly.
- 5 Page 11, line 19, strike "\$432,656" and substitute "\$378,843".
- 6 Page 11, line 24, strike "\$245,456" and substitute "\$172,768" and strike
- 7 "and".
 - 8 Page 11, after line 24 insert:
 - 9 "(b) \$18,875 for operating expenses; and".
- 10 Reletter succeeding paragraph accordingly.

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