

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

February 22, 2024  
Date

Committee on State, Veterans, & Military Affairs.

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

SB24-135 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 4, lines 2 and 3, strike "10-16-134, **amend** (2)"  
2 and substitute "**repeal** 10-16-134".
  
- 3 Page 4, strike lines 5 through 10 and substitute "- **definition.** ~~(1) On or~~  
4 ~~before March 1, 2009, and on or before March 1 each year thereafter,~~  
5 ~~each carrier shall submit to the division a list of the average~~  
6 ~~reimbursement rates, either statewide or by geographic area, as defined~~  
7 ~~by rule of the commissioner pursuant to section 10-16-104.9, for the~~  
8 ~~average inpatient day or the average reimbursement rate for the~~  
9 ~~twenty-five most common inpatient procedures based upon the most~~  
10 ~~commonly reported diagnostic-related groups.~~  
11 (2) (a) The commissioner shall post the information submitted  
12 pursuant to subsection (1) of this section on the division's website.  
13 (b) ~~The division shall ensure that the website and information is~~  
14 ~~easy to navigate, contains consumer-friendly language, and fulfills the~~  
15 ~~intent of this section.~~  
16 (3) For purposes of this section, "diagnostic-related group" means  
17 the classification assigned to an inpatient hospital service claim based on  
18 the patient's age and sex, the principal and secondary diagnoses, the  
19 procedures performed, and the discharge status."
  
- 20 Page 4, line 11, after "**repeal**" insert "(14) and".
  
- 21 Page 4, line 14, after "**definitions.**" insert "(14) ~~On or before March 1 of~~  
22 ~~each year, each carrier shall submit information to the commissioner, in~~  
23 ~~a form and manner determined by the commissioner, concerning the use~~  
24 ~~of out-of-network providers and out-of-network facilities by covered~~

1 ~~persons and the impact on premium affordability for consumers."~~.

2 Page 5, strike lines 16 through 27.

3 Strike page 6.

4 Page 7, strike lines 1 through 15.

5 Renumber succeeding sections accordingly.

6 Page 7, line 16, strike "**repeal**" and substitute "**amend**".

7 Page 7, line 18, strike "On".

8 Page 7, strike lines 19 through 27.

9 Page 8, strike lines 1 through 8 and substitute "On or before December 1  
10 of each year, ~~it shall be the duty of~~ the district attorney and the county  
11 attorney ~~to~~ SHALL make a written report to the ~~governor of the state~~  
12 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE  
13 SENATE, OR THEIR SUCCESSOR COMMITTEES, stating the number of reports,  
14 provided for in section 14-7-101, received from the courts of the county  
15 or state and the nature and result of any action directed in this ~~article~~  
16 ARTICLE 7 by such officers respectively to recover from such parents the  
17 expenses of the care and maintenance of such children. If no action has  
18 been taken, such report shall detail the reason for the failure of the officer  
19 to take action. ~~It is the duty of~~ The county commissioners ~~to~~ SHALL pay  
20 any court costs or other expenses necessary for the prosecution of any suit  
21 provided for in this ~~article~~ ARTICLE 7. Nothing in this ~~article~~ ARTICLE 7  
22 shall be construed to repeal any law of this state concerning the  
23 responsibility of parents to support their children, ~~or~~ providing for the  
24 punishment of parents or other persons responsible for the delinquency  
25 or dependency of children, or providing for the punishment of any parents  
26 for the nonsupport of their children; and nothing in such law shall prevent  
27 proceedings under this ~~article~~ ARTICLE 7 in any proper case."

28 Page 8, after line 20 insert:

29 "SECTION 5. In Colorado Revised Statutes, 19-3-304.5, **amend**  
30 (6) as follows:

31 **19-3-304.5. Emergency possession of certain abandoned**  
32 **children - definition.** (6) Notwithstanding section 24-1-136 (11)(a)(I),

1 the state department of human services shall submit an annual report to  
2 the general assembly ~~beginning January 1, 2001,~~ NOT LATER THAN  
3 MARCH 1 that compiles the monthly reports, required pursuant to  
4 subsection (5) of this section, of the number of children abandoned  
5 pursuant to this section."

6 Page 11, after line 27 insert:

7           **"SECTION 8.** In Colorado Revised Statutes, 23-1-105.5, **amend**  
8 (2)(a) as follows:  
9           **23-1-105.5. Duties and powers of the commission with respect**  
10 **to student fees - report on tuition and fees.** (2) (a) On or before  
11 January 15, 2018, and ~~on or before January 15 each year~~ ANNUALLY  
12 thereafter, the department shall report to the joint budget committee and  
13 the education committees of the house of representatives and the senate,  
14 or any successor committees, concerning the governing boards' fee  
15 policies, the collection and use of student fees, and tuition rates."

16 Renumber succeeding sections accordingly.

17 Page 17, line 13, strike "**repeal**" and substitute "**amend**".

18 Page 17, strike lines 16 through 22 and substitute: "**grant program -**  
19 **report - definition.** (4) (a) On or before November 1, 2019, and on or  
20 before November 1 each year thereafter, the division shall ~~include an~~  
21 ~~update~~ PREPARE A REPORT regarding the effectiveness of the grant  
22 program ~~in its report to the members of the applicable committees of~~  
23 ~~reference in the senate and house of representatives as required by the~~  
24 ~~"State Measurement for Accountable, Responsive, and Transparent~~  
25 ~~(SMART) Government Act", part 2 of article 7 of title 2~~ AND POST THE  
26 REPORT ON ITS WEBSITE."

27 Page 17, line 23, strike "**(b)**" and substitute "**(b)**".

28 Page 17, line 25, strike "**repeal**" and substitute "**amend**".

29 Page 18, strike lines 1 through 6 and substitute: "**- rules - report -**  
30 **definition - repeal.** (4) (a) The division shall ~~include an update~~  
31 ANNUALLY PREPARE A REPORT regarding the effectiveness of the grant  
32 program ~~in its annual report to the members of the applicable committees~~  
33 ~~of reference in the senate and the house of representatives as required by~~  
34 ~~the "State Measurement for Accountable, Responsive, and Transparent~~

- 1 ~~(SMART) Government Act", part 2 of article 7 of title 2~~ AND POST THE  
2 REPORT ON ITS WEBSITE."
- 3 Page 18, line 7, strike "(b)" and substitute "(b)".
- 4 Page 18, line 9, strike "**repeal**" and substitute "**amend**".
- 5 Page 18, strike lines 12 through 19 and substitute: "**community**  
6 **partnerships grant program - created - report - rules - fund -**  
7 **definitions - repeal.** (6) (b) (II) Beginning with the 2023 regular  
8 legislative session and each ~~regular legislative session~~ YEAR thereafter,  
9 the department shall ~~include a summarized report~~ PREPARE A REPORT of  
10 the activities of the grant program in the department's annual presentation  
11 to ~~the committees of reference pursuant to section 2-7-203~~  
12 Notwithstanding section 24-1-136 (11)(a)(I), the reporting requirements  
13 set forth in this section continue indefinitely AND POST THE REPORT ON ITS  
14 WEBSITE."
- 15 Page 22, line 25, after "**amend**" insert "(1), (3), and".
- 16 Page 23, line 2, strike "(4)(a) Beginning ~~October 1, 2021~~ JULY 1," and  
17 substitute "(1) On or before October 1, 2021, the state department shall  
18 consult with the behavioral health administration in the department of  
19 human services, residential treatment providers, and MCEs to develop  
20 standardized utilization management processes to determine medical  
21 necessity for residential and inpatient substance use disorder treatment.  
22 The processes must incorporate the ~~most recent edition~~ VERSION of "The  
23 ASAM Criteria" for ~~Addictive, Substance-related, and Co-occurring~~  
24 ~~Conditions~~ USED BY THE STATE DEPARTMENT and align with federal  
25 medicaid payment requirements.
- 26 (3) On or before January 1, 2022, each MCE's notice of an  
27 adverse benefit determination must demonstrate how each dimension of  
28 the ~~most recent edition~~ VERSION of "The ASAM Criteria" for ~~Addictive,~~  
29 ~~Substance-related, and Co-occurring Conditions~~ USED BY THE STATE  
30 DEPARTMENT was considered when determining medical necessity.
- 31 (4)(a) Beginning ~~October 1, 2021~~ JULY 1,".
- 32 Page 25, line 16, strike "(3)(b)" and substitute "(3)(b); and **add** (3)(c)".
- 33 Page 25, line 21, strike "committees" and substitute "**committees**  
34 COMMITTEE".
- 35 Page 25, after line 25 insert:
- 36 "(c) ON OR BEFORE AUGUST 30, 2024, AND ON OR BEFORE AUGUST  
37 30 OF EACH YEAR THEREAFTER FOR THE FOLLOWING THREE YEARS, THE  
38 DEPARTMENT SHALL REPORT TO THE HEALTH AND HUMAN SERVICES

1 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND  
2 HUMAN SERVICES COMMITTEE OF THE SENATE, OR THEIR SUCCESSOR  
3 COMMITTEES, ON THE PILOT PROGRAM, INCLUDING THE GRANTS AWARDED,  
4 THE NUMBER OF CHILDREN, FAMILIES, AND CAREGIVERS SERVED, AND A  
5 RECOMMENDATION FOR THE FUTURE IMPLEMENTATION OF THE  
6 PROGRAM."

7 Page 29, after line 27 insert:

8 "SECTION 38. In Colorado Revised Statutes, 33-10-109, amend  
9 (1)(g) as follows:

10 **33-10-109. Powers and duties of director.** (1) It is the duty of  
11 the director to:

12 (g) (I) Obtain from powersports vehicle manufacturers the engine  
13 rotations per minute needed to conduct the SAE J1287, as defined in  
14 section 25-12-102, ~~C.R.S.~~; and to make the information available to law  
15 enforcement agencies in Colorado;

16 (II) Provide, at the director's discretion, training programs to local  
17 law enforcement agencies concerning the enforcement of section  
18 25-12-110 (1) and (2); ~~C.R.S.~~ AND

19 (III) Cooperate with federal agencies, Colorado agencies, and  
20 political subdivisions of Colorado to enforce section 25-12-110 (1) and  
21 (2). ~~C.R.S.~~; and

22 (IV) ~~Issue an annual report, by January 15 of each year, to the~~  
23 ~~executive director and the agriculture, livestock, and natural resources~~  
24 ~~committee of the house of representatives and the agriculture, natural~~  
25 ~~resources, and energy committee of the senate, or any successor~~  
26 ~~committees, containing the following information:~~

27 (A) ~~The results of a survey of federal, state, and local~~  
28 ~~governments to ascertain the success of the cooperation, education,~~  
29 ~~training, and enforcement components of this paragraph (g) and section~~  
30 ~~25-12-110, C.R.S.;~~

31 (B) ~~The expenditures of moneys appropriated for providing~~  
32 ~~training and purchasing of equipment to enforce section 25-12-110 (1)~~  
33 ~~and (2), C.R.S., and any other sources of funding, public or private, for~~  
34 ~~the implementation of this act deemed important by the director; and~~

35 (C) ~~The progress and status of the cooperation efforts required by~~  
36 ~~subparagraph (HH) of this paragraph (g)."~~

37 Renumber succeeding sections accordingly.

38 Page 31, strike lines 14 through 22 and substitute:

39 "SECTION 42. **Safety clause.** The general assembly finds,  
40 determines, and declares that this act is necessary for the immediate  
41 preservation of the public peace, health, or safety or for appropriations for  
42 the support and maintenance of the departments of the state and state  
43 institutions."

\*\* \*\* \*\* \*\* \*\*