

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0912.01 Brita Darling x2241

SENATE BILL 16-192

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SENATE SPONSORSHIP

Lambert, Grantham, Steadman

HOUSE SPONSORSHIP

Young, Hamner, Rankin

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Senate Committees  
Appropriations

House Committees

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A BILL FOR AN ACT

101 CONCERNING A NEEDS ASSESSMENT TOOL FOR PERSONS ELIGIBLE FOR  
102 LONG-TERM SERVICES AND SUPPORTS, INCLUDING PERSONS  
103 WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

**Joint Budget Committee.** By a certain date, the bill requires the department of health care policy and financing (state department), pursuant to the state department's ongoing stakeholder process relating to eligibility determination for long-term services and supports, to select a needs assessment tool for persons receiving long-term services and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

supports, including persons with intellectual and developmental disabilities, and, once selected, to begin using the tool as soon as practicable. Once selected, the state department shall report to certain committees of the general assembly the needs assessment tool selected and the level of stakeholder involvement in the process of selecting the tool.

Pursuant to the state department's ongoing stakeholder process relating to eligibility determination for long-term services and supports, the state department shall develop or select the needs assessment tool in collaboration with persons with intellectual and developmental disabilities and stakeholders.

The needs assessment tool must include a reasonable reassessment process that allows a reassessment to be completed within thirty days after a reassessment is requested.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-6-104, **add** (5)  
3 as follows:

4 **25.5-6-104. Long-term care placements - comprehensive and**  
5 **uniform client assessment instrument - legislative declaration -**  
6 **definitions - report - repeal.** (5) (a) ON OR BEFORE JULY 1, 2018,  
7 PURSUANT TO THE STATE DEPARTMENT'S ONGOING STAKEHOLDER PROCESS  
8 RELATING TO ELIGIBILITY DETERMINATION FOR LONG-TERM SERVICES AND  
9 SUPPORTS PURSUANT TO THIS ARTICLE, THE STATE DEPARTMENT SHALL  
10 SELECT A NEEDS ASSESSMENT TOOL FOR PERSONS RECEIVING LONG-TERM  
11 SERVICES AND SUPPORTS, INCLUDING PERSONS WITH INTELLECTUAL AND  
12 DEVELOPMENTAL DISABILITIES WHO ARE ELIGIBLE FOR SERVICES  
13 PURSUANT TO SECTION 25.5-6-409. ONCE SELECTED, THE STATE  
14 DEPARTMENT SHALL BEGIN ASSESSING CLIENT NEEDS USING THE NEEDS  
15 ASSESSMENT TOOL AS SOON AS PRACTICABLE.

16 (b) PURSUANT TO THE STATE DEPARTMENT'S ONGOING  
17 STAKEHOLDER PROCESS RELATING TO ELIGIBILITY DETERMINATION FOR

1 LONG-TERM SERVICES AND SUPPORTS PURSUANT TO THIS ARTICLE, THE  
2 STATE DEPARTMENT SHALL DEVELOP OR SELECT THE NEEDS ASSESSMENT  
3 TOOL IN COLLABORATION WITH PERSONS WITH INTELLECTUAL AND  
4 DEVELOPMENTAL DISABILITIES WHO RECEIVE SERVICES, LEGAL  
5 GUARDIANS, CASE MANAGERS, AND ANY OTHER STAKEHOLDERS AS  
6 DETERMINED BY THE STATE DEPARTMENT.

7 (c) THE NEEDS ASSESSMENT TOOL DEVELOPED OR SELECTED BY  
8 THE STATE DEPARTMENT MUST INCLUDE A REASONABLE REASSESSMENT  
9 PROCESS, SET FORTH IN STATE BOARD RULES, THAT ALLOWS A  
10 REASSESSMENT TO BE COMPLETED WITHIN THIRTY DAYS AFTER RECEIPT OF  
11 A REQUEST FOR REASSESSMENT MADE BY A PERSON WITH INTELLECTUAL  
12 AND DEVELOPMENTAL DISABILITIES OR HIS OR HER LEGAL GUARDIAN.

13 (d) (I) ONCE THE STATE DEPARTMENT HAS SELECTED A NEEDS  
14 ASSESSMENT TOOL, THE STATE DEPARTMENT SHALL REPORT TO THE PUBLIC  
15 HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF  
16 REPRESENTATIVES, OR ITS SUCCESSOR COMMITTEE; THE HEALTH AND  
17 HUMAN SERVICES COMMITTEE OF THE SENATE, OR ITS SUCCESSOR  
18 COMMITTEE; AND THE JOINT BUDGET COMMITTEE CONCERNING THE NEEDS  
19 ASSESSMENT TOOL SELECTED AND THE LEVEL OF STAKEHOLDER  
20 INVOLVEMENT IN THE PROCESS OF SELECTING THE TOOL.

21 (II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2019.

22 **SECTION 2. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.