HOUSE BILL 17-1143

BY REPRESENTATIVE(S) Landgraf, Danielson, Ginal, Hooton, Michaelson Jenet, Mitsch Bush, Pettersen, Saine, Valdez, Young; also SENATOR(S) Crowder, Aguilar, Cooke, Hill, Jahn, Kefalas, Lundberg, Martinez Humenik, Merrifield, Moreno, Priola, Smallwood, Tate.

CONCERNING AUDITS OF CORRESPONDENCE SENT TO MEDICAID CLIENTS.

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

SECTION 1. In Colorado Revised Statutes, add 25.5-4-213 as follows:

25.5-4-213. Audit of medicaid client correspondence - definition.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "CLIENT CORRESPONDENCE" MEANS ANY COMMUNICATION, THE PURPOSE OF WHICH IS TO PROVIDE NOTICE OF AN APPROVAL, DENIAL, TERMINATION, OR CHANGE TO AN INDIVIDUAL'S MEDICAID ELIGIBILITY; TO PROVIDE NOTICE OF THE APPROVAL, DENIAL, REDUCTION, SUSPENSION, OR TERMINATION OF A MEDICAID BENEFIT; OR TO REQUEST ADDITIONAL INFORMATION THAT IS RELEVANT TO AN INDIVIDUAL'S MEDICAID ELIGIBILITY OR BENEFITS.

(2) DURING THE 2020 CALENDAR YEAR AND THE 2023 CALENDAR
YEAR, THE OFFICE OF THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE
CONDUCTED A PERFORMANCE AUDIT OF CLIENT CORRESPONDENCE. THEREAFTER, THE STATE AUDITOR, IN THE EXERCISE OF HIS OR HER
DISCRETION, MAY CONDUCT OR CAUSE TO BE CONDUCTED ADDITIONAL
PERFORMANCE AUDITS OF CLIENT CORRESPONDENCE PURSUANT TO THIS
SECTION. THE AUDIT SHALL INCLUDE CORRESPONDENCE GENERATED
THROUGH THE COLORADO BENEFITS MANAGEMENT SYSTEM, AS WELL AS
CORRESPONDENCE THAT IS NOT GENERATED THROUGH THE COLORADO
BENEFITS MANAGEMENT SYSTEM.

(3) THE PERFORMANCE AUDIT CONDUCTED PURSUANT TO THIS
SECTION SHALL INCLUDE:

(a) A REVIEW OF AVAILABLE DATA FROM COUNTRIES, THE
DEPARTMENT’S CUSTOMER SERVICE CONTRACT CENTER, AND FROM
ASSISTORS WITHIN THE HEALTH BENEFIT EXCHANGE, CREATED IN ARTICLE 22
OF TITLE 10, REGARDING CUSTOMER SERVICE CONTACTS THAT ARE RELATED
TO CLIENT CONFUSION REGARDING CORRESPONDENCE RECEIVED BY
MEDICAID CLIENTS OR APPLICANTS;

(b) A REVIEW OF THE ACCURACY OF CLIENT CORRESPONDENCE AT
THE TIME IT IS GENERATED;

(c) A REVIEW OF WHETHER CLIENT CORRESPONDENCE SATISFIES THE
REQUIREMENTS OF ANY STATE OR FEDERAL LAW, RULE, OR REGULATION
RELATING TO THE SUFFICIENCY OF ANY NOTICE;

(d) A REVIEW OF ANY CLIENT CORRESPONDENCE TESTING PROCESS
CONDUCTED BY THE DEPARTMENT AND WHETHER TESTING IS DONE PRIOR TO
IMPLEMENTING NEW OR SIGNIFICANTLY REVISED CLIENT COMMUNICATIONS;

(e) A REVIEW OF THE RESULTS OF ANY CLIENT CORRESPONDENCE
TESTING, INCLUDING CLIENT COMPREHENSION OF THE INTENDED PURPOSE OR
PURPOSES OF THE CORRESPONDENCE; AND

(f) A REVIEW OF THE ACCURACY OF CLIENT INCOME AND HOUSEHOLD
COMPOSITION INFORMATION THAT IS COMMUNICATED ELECTRONICALLY, IF
APPLICABLE.

(4) IF AUDIT FINDINGS INCLUDE FINDINGS THAT INFORMATION

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CONTAINED IN CLIENT CORRESPONDENCE IS INACCURATE AT THE TIME THE CORRESPONDENCE WAS GENERATED, THE AUDIT SHALL IDENTIFY, IF POSSIBLE, THE SOURCE OF THE INACCURATE INFORMATION, WHICH MAY INCLUDE BUT IS NOT LIMITED TO COMPUTER SYSTEM OR INTERFACE ISSUES, COUNTY INPUT ERROR, OR APPLICANT ERROR.


SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless
approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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PRESIDENT OF  
THE SENATE

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED

John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO