

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0339.01 Christy Chase x2008

SENATE BILL 18-054

SENATE SPONSORSHIP

Crowder, Jahn, Lundberg, Neville T.

HOUSE SPONSORSHIP

Liston,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING A LIMITATION ON THE AMOUNT OF AN INCREASE IN FEES**
102 **ASSESSED AGAINST ASSISTED LIVING RESIDENCES BY THE**
103 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.**

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://leg.colorado.gov>.)

Under current law, the state board of health (board) is authorized to establish a schedule of fees for health facilities, including assisted living residences, which fees must be sufficient to meet the department of public health and environment's direct and indirect costs in regulating health facilities. With regard to most department-regulated health

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

facilities, the board cannot increase fees by more than the inflation rate. However, the inflation rate limitation does not apply to the fees assessed by the department against assisted living residences.

The bill imposes the inflation rate limitation on fees assessed against assisted living residences.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-27-107, **amend**
3 (1.5)(a) as follows:

4 **25-27-107. License fees - rules.** (1.5) (a) No later than January
5 1, 2009, the state board shall promulgate rules establishing a schedule of
6 fees sufficient to meet the direct and indirect costs of administration and
7 enforcement of this ~~article~~ ARTICLE 27. The rules shall set a lower fee for
8 facilities with a high medicaid utilization rate as defined by the state
9 board. The rules shall be adopted in accordance with article 4 of title 24.
10 C.R.S. ON OR AFTER AUGUST 1, 2019, ___ FEES ESTABLISHED PURSUANT
11 TO THIS SECTION ARE SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION
12 25-3-105 (1)(a)(I)(B). THE STATE BOARD MAY INCREASE A FEE ON THE
13 SCHEDULE ESTABLISHED PURSUANT TO THIS SECTION THAT IS IN EFFECT ON
14 AUGUST 1, 2019, ONLY IN ACCORDANCE WITH SECTION 25-3-105
15 (1)(a)(I)(B).

16 **SECTION 2. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in

- 1 November 2018 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.