

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. 18-0567.01 Brita Darling x2241

SENATE BILL 18-093

SENATE SPONSORSHIP

Moreno, Martinez Humenik, Zenzinger, Tate

HOUSE SPONSORSHIP

Arndt, Hooton, Thurlow, McKean

Senate Committees

Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF OBSOLETE PROVISIONS IN THE**
102 **COLORADO MEDICAL ASSISTANCE PROGRAM RELATING TO THE**
103 **INACTIVE HOME- AND COMMUNITY-BASED SERVICES WAIVER**
104 **FOR PERSONS LIVING WITH AIDS.**

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/>.)

Statutory Revision Committee. The bill repeals the inactive home- and community-based services waiver under the Colorado medical assistance program for persons with health complexes related to acquired

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.

immune deficiency syndrome (persons living with AIDS waiver). Due to the consolidation of home- and community-based services waivers under the Colorado medical assistance program, persons participating in the persons living with AIDS waiver were transferred to the home- and community-based services waiver for the elderly, blind, and disabled, and federal authorization for the persons living with AIDS waiver has been withdrawn.

The bill makes conforming amendments to remove references to the obsolete home- and community-based services waiver program.

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 declares the purpose of Senate Bill 18-093, enacted in 2018, is to remove
4 the inactive home- and community-based services waiver under the
5 Colorado medical assistance program for persons with health complexes
6 related to acquired immune deficiency syndrome, which was incorporated
7 into another waiver, the home- and community-based services waiver for
8 the elderly, blind, and disabled.

9 **SECTION 2.** In Colorado Revised Statutes, **repeal** part 5 of
10 article 6 of title 25.5.

11 **SECTION 3.** In Colorado Revised Statutes, **repeal** 25.5-5-202
12 (1)(c)(III).

13 **SECTION 4.** In Colorado Revised Statutes, **repeal** 25.5-5-203
14 (1)(d).

15 **SECTION 5.** In Colorado Revised Statutes, **repeal** 25.5-6-104
16 (3)(b)(VIII).

17 **SECTION 6.** In Colorado Revised Statutes, **repeal** 25.5-6-106
18 (2)(b)(III).

19 **SECTION 7.** In Colorado Revised Statutes, 25.5-6-303, **amend**
20 the introductory portion and (5)(a) as follows:

1 **25.5-6-303. Definitions.** As used in this part 3, ~~and part 5 of this~~
2 ~~article~~, unless the context otherwise requires:

3 (5) (a) "Case management agency" means agencies providing
4 services on and before July 1, 1995, for home- and community-based
5 programs for the elderly, blind, and disabled ~~and for persons living with~~
6 ~~AIDS~~ shall be terminated July 1, 1995, and case management functions
7 shall thereafter be performed in accordance with this ~~article~~ ARTICLE 6.

8 **SECTION 8. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2018 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.