

## CHAPTER 404

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**HEALTH CARE POLICY AND FINANCING**


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## SENATE BILL 21-038

BY SENATOR(S) Zenzinger and Smallwood, Ginal, Moreno;  
 also REPRESENTATIVE(S) Kennedy and Van Winkle, Bennett, Bird, Duran, Exum, Herod, Hooton, Jodeh, Lontine, McCluskie,  
 McCormick, Michaelson Jenet, Ortiz, Ricks, Sirota, Snyder, Titone, Valdez A., Woodrow, Young, Garnett.

## AN ACT

**CONCERNING AN EXPANSION OF THE COMPLEMENTARY OR ALTERNATIVE MEDICINE PILOT PROGRAM FOR A PERSON WITH A PRIMARY CONDITION RESULTING IN THE TOTAL INABILITY FOR INDEPENDENT AMBULATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 25.5-6-1303, **amend** (1)(a) and (2)(b); and **add** (2)(c) and (2)(d) as follows:

**25.5-6-1303. Pilot program - complementary or alternative medicine - rules.**

(1) (a) The general assembly authorizes the state department to implement a pilot program that would allow an eligible person with a disability to receive complementary or alternative medicine to the extent authorized by federal waiver. The pilot program may begin no later than January 1, 2012. The state department shall design and implement the pilot program with input from an advisory committee that must include, but need not be limited to, persons with spinal cord injuries who are receiving complementary or alternative medicine. ~~The state department shall continue to utilize a volunteer outreach coordinator throughout the duration of the pilot program whose duties include, but are not limited to, facilitating participant and provider enrollment and acting as an informal liaison between the state department, pilot program participants, and other stakeholders.~~ The state department may seek any federal waivers that may be necessary to implement this part 13.

(2) (b) In order to qualify and to remain eligible for the pilot program authorized by this section, a person shall:

(I) Be diagnosed with a PRIMARY CONDITION OF A spinal cord injury, MULTIPLE

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

SCLEROSIS, A BRAIN INJURY, SPINA BIFIDA, MUSCULAR DYSTROPHY, OR CEREBRAL PALSY, WITH THE TOTAL INABILITY FOR INDEPENDENT AMBULATION DIRECTLY RESULTING FROM ONE OF THESE DIAGNOSES;

(II) Be willing to participate in the pilot program;

(III) Demonstrate a current need, as further defined in rule by the state board, for complementary or alternative medicine; and

(IV) Be eligible for medicaid, including but not limited to persons whose gross income does not exceed three hundred percent of the current federal supplemental security income benefit level and who are eligible for a home- and community-based program authorized pursuant to this title or the consumer-directed attendant support pilot program authorized pursuant to part 10 of article 6 of this title WHO MEET THE FUNCTIONAL LEVEL OF CARE AND FINANCIAL CRITERIA DESCRIBED IN RULES PROMULGATED BY THE STATE BOARD RELATING TO LONG-TERM CARE SERVICES.

(c) THE STATE DEPARTMENT SHALL IMPLEMENT SUBSECTION (2)(b) OF THIS SECTION NO LATER THAN JULY 1, 2022.

(d) THE PILOT PROGRAM IS AVAILABLE TO ALL ELIGIBLE INDIVIDUALS IN COLORADO.

**SECTION 2. Appropriation.** (1) For the 2021-22 state fiscal year, \$37,984 is appropriated to the department of health care policy and financing for use by the executive director's office. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) \$32,901 for personal services, which amount is based on an assumption that the office will require an additional 0.9 FTE; and

(b) \$5,083 for operating expenses.

(2) For the 2021-22 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive \$37,983 in federal funds to implement this act, which amount is subject to the "(I)" notation as defined in the annual general appropriation act for the same fiscal year. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds to be used as follows:

(a) \$32,900 for personal services; and

(b) \$5,083 for operating expenses.

**SECTION 3. 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; 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 30, 2021