

CHAPTER 221

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 99-1018

BY REPRESENTATIVES Clarke, Bacon, Chavez, Coleman, Gagliardi, George, Gordon, Grossman, Kaufman, Mace, Miller, Plant, Ragsdale, Saliman, Tapia, Tate, Tochtrop, Tupa, Veiga, Vigil, S. Williams, and Zimmerman;
also SENATORS Wham, Hernandez, Linkhart, Martinez, Pascoe, Phillips, Reeves, Rupert, Tanner, Teck, and Thiebaut.

AN ACT

CONCERNING PRENATAL CARE FOR UNDOCUMENTED ALIENS.

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

SECTION 1. Legislative declaration. The general assembly hereby finds that access to prenatal care by undocumented aliens in Colorado is inadequate; that lack of prenatal care results in a high rate of low-weight births; that low birth weight contributes substantially to infant mortality and childhood disabilities; and that children born with low birth weights are more likely to be born premature and more likely to develop health problems during their lifetimes. The general assembly recognizes that there are many conditions that can be prevented or lessened through prenatal care, such as mental retardation, cerebral palsy, and blindness. The general assembly recognizes that studies have shown that every dollar spent on prenatal care yields between \$1.70 and \$3.38 in savings by reducing neonatal complications. The general assembly also recognizes that prenatal care benefits the public health because it provides an opportunity to identify and treat communicable diseases. The general assembly hereby declares that the purpose of enacting this act is to authorize a study of how to provide prenatal care to pregnant women who are undocumented aliens.

SECTION 2. 26-4-203 (3), Colorado Revised Statutes, is amended to read:

26-4-203. Mandated programs with special state provisions - repeal.
(3) (a) Emergency medical assistance shall be provided to any person who is not a citizen of the United States, including undocumented aliens, aliens who are not qualified aliens, and qualified aliens who entered the United States on or after August 22, 1996, who has an emergency medical condition and meets one of the categorical requirements set forth in section 26-4-201; except that such persons shall not be required to meet any residency requirement other than that required by federal law.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(a.5) (I) THE STATE DEPARTMENT MAY REVIEW OPTIONS TO PROVIDE PRENATAL CARE STATEWIDE FOR UNDOCUMENTED ALIENS THROUGH MEDICAID PROVIDERS, INCLUDING ESSENTIAL COMMUNITY PROVIDERS, AND THE POSSIBLE FUNDING SOURCES, INCLUDING BUT NOT LIMITED TO FEDERAL FUNDS, GRANTS, AND DONATIONS. FOR SUCH PURPOSES, THE STATE DEPARTMENT SHALL SEEK A FEDERAL WAIVER, INCLUDING A REQUEST FOR ANY NECESSARY CHANGE IN FEDERAL REGULATIONS OR STATUTES, FOR IMPLEMENTATION OF A PROGRAM THAT WILL INCLUDE FEDERAL FINANCIAL PARTICIPATION IN REIMBURSEMENT FOR PRENATAL CARE FOR UNDOCUMENTED ALIENS. THE STATE DEPARTMENT SHALL REPORT ON POSSIBLE OPTIONS AND FUNDING SOURCES AND THE POSSIBILITY OF FEDERAL FUNDING TO THE JOINT BUDGET COMMITTEE AND TO THE HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS BY OCTOBER 1, 1999.

(II) THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE DECEMBER 31, 1999.

(b) The medical services board shall adopt rules necessary for the implementation of this subsection (3), including a rule defining emergency services and an emergency medical condition.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 24, 1999