

CHAPTER 124

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 01-114

BY SENATOR(S) Hernandez, Hagedorn, Anderson, Fitz-Gerald, Gordon, Hanna, Linkhart, Pascoe, Phillips, Reeves, Tate, Tupa, and Windels;
also REPRESENTATIVE(S) Berry, Boyd, Coleman, Groff, Johnson, Mace, Madden, Romanoff, Sanchez, Scott, Stafford, Tapia, Tochtrop, Veiga, Vigil, and Williams S.

AN ACT

CONCERNING INCOME ELIGIBILITY REQUIREMENTS OF THE AIDS DRUG ASSISTANCE PROGRAM.

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

SECTION 1. 25-4-1411 (3), Colorado Revised Statutes, is amended, and the said 25-4-1411 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

25-4-1411. AIDS drug assistance program - legislative declaration - no entitlement created. (3) To be eligible to participate in the state program, an individual shall ~~have~~:

- (a) HAVE a medical diagnosis of HIV disease;
- (b) ~~An income that is not more than one hundred eighty-five percent of the federal poverty level;~~
- (c) HAVE a prescription from an authorized provider for a pharmaceutical product or combination of pharmaceutical products that are included on the drug formulary for the state program;
- (d) MEET INCOME ELIGIBILITY REQUIREMENTS AS DETERMINED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT IN CONSULTATION WITH THE SUBCOMMITTEE OF THE ADVISORY GROUP ON AIDS POLICY ESTABLISHED IN SUBSECTION (4) OF THIS SECTION.
- (5) IF AT ANY TIME THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, IN

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

CONSULTATION WITH THE SUBCOMMITTEE OF THE ADVISORY GROUP ON AIDS POLICY ESTABLISHED IN SUBSECTION (4) OF THIS SECTION, DETERMINES THAT THE AIDS DRUG ASSISTANCE PROGRAM IS REACHING THE PROGRAM'S FISCAL LIMITATIONS, THE DEPARTMENT, IN CONSULTATION WITH THE SUBCOMMITTEE, SHALL IMPLEMENT A POLICY OF GIVING PREFERENCE TO APPLICANTS OF LOWER INCOME, WHO OTHERWISE MEET THE ELIGIBILITY REQUIREMENTS IN SUBSECTION (3) OF THIS SECTION, FOR ENROLLMENT INTO THE PROGRAM.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2001, and shall apply to applications for services under the AIDS drug assistance program made on or after said date.

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: April 12, 2001