

CHAPTER 124

HEALTH CARE POLICY AND FINANCING

SENATE BILL 09-210

BY SENATOR(S) Tapia, Keller, White;
also REPRESENTATIVE(S) Ferrandino, Pommer, Marostica, Acree, Merrifield.

AN ACT

**CONCERNING TRANSFERS FOR HEALTH PROGRAMS FROM THE TOBACCO LITIGATION FUNDS, AND,
IN CONNECTION THEREWITH, MAKING MODIFICATIONS TO APPROPRIATIONS.**

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

SECTION 1. 24-22-115 (1) (b), Colorado Revised Statutes, is amended to read:

24-22-115. Tobacco litigation settlement cash fund - health care supplemental appropriations and overexpenditures account - creation.

(1) (b) Except as provided in subsection (2) of this section, for the 2006-07 fiscal year and ~~for each~~ THE 2007-08 fiscal year, ~~thereafter~~, an amount needed, up to one million dollars, to pay the state's share of the annual funding required by the "Home- and Community-based Services for Children with Autism Act", part 8 of article 6 of title 25.5, C.R.S., shall be transferred from the tobacco litigation settlement cash fund to the Colorado autism treatment fund created pursuant to section 25.5-6-805, C.R.S. The amount to be transferred shall be taken into account when determining the amount of cash fund moneys available for allocation to tobacco settlement programs pursuant to section 24-75-1104.5 (1.5) and shall be transferred at the end of the 2006-07 fiscal year and at the end of ~~each succeeding~~ THE 2007-08 fiscal year. Except as provided in subsection (2) of this section, at the end of any fiscal year commencing on or after July 1, 2006, all unexpended and unencumbered moneys in the cash fund, all moneys in the cash fund not appropriated for the following fiscal year, and all moneys in the cash fund not required for transfers pursuant to section 24-75-1104.5 (1) or (1.5) in the following fiscal year shall be transferred to the short-term innovative health program grant fund created in section 25-36-101 (2), C.R.S.

SECTION 2. 24-75-1104.5 (1) (b), (1) (j), (1) (l), (1.5) (a) (III), (1.5) (a) (IV), (1.5) (a) (V), and (3), Colorado Revised Statutes, are amended to read:

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

24-75-1104.5. Use of settlement moneys - programs - repeal. (1) For the 2004-05 fiscal year and for each fiscal year thereafter, the following programs, services, or funds shall receive the following specified amounts from the settlement moneys received by the state in the preceding fiscal year; except that fifteen million four hundred thousand dollars of strategic contribution fund moneys shall be allocated in each fiscal year in which they are received by the state:

(b) (I) The comprehensive primary and preventive care grant program created in part 2 of article 3 of title 25.5, C.R.S., shall receive three percent of the total amount of settlement moneys annually received by the state, not to exceed five million dollars in any fiscal year, as provided in section 25.5-3-207, C.R.S.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), FOR THE 2009-10 FISCAL YEAR, THE AMOUNT TRANSFERRED TO THE COMPREHENSIVE PRIMARY AND PREVENTIVE CARE GRANT PROGRAM SHALL BE REDUCED BY TWO MILLION FOUR HUNDRED THOUSAND DOLLARS, AND SUCH AMOUNT SHALL BE TRANSFERRED TO THE GENERAL FUND. THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2011.

(j) (I) The AIDS drug assistance program created in section 25-4-1411, C.R.S., shall receive three and a half percent of the total amount of settlement moneys annually received by the state, not to exceed five million dollars in any fiscal year, as provided in said section.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (j), FOR THE 2008-09 FISCAL YEAR, THE AMOUNT RECEIVED BY THE AIDS DRUG ASSISTANCE PROGRAM SHALL BE REDUCED BY SIXTY-FIVE THOUSAND DOLLARS, AND, ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (II), SUCH AMOUNT SHALL BE TRANSFERRED TO THE GENERAL FUND. THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2010.

(l) The autism treatment fund created pursuant to section 25.5-6-805, C.R.S., shall receive ~~the amount needed, not to exceed~~ one million dollars to pay A PORTION OF the state's share of the annual funding required by the "Home- and Community-based Services for Children with Autism Act", part 8 of article 6 of title 25.5, C.R.S. ~~as provided in section 24-22-115 (1).~~

(1.5) (a) For the 2007-08 fiscal year and for each fiscal year thereafter, the following programs, services, and funds shall receive the following specified amounts from the portion of any strategic contribution fund moneys received by the state in the current fiscal year that remains after the programs, services, and funds receiving strategic contribution fund moneys pursuant to subsection (1) of this section have been fully funded, and the portion of all other settlement moneys received by the state in the preceding fiscal year that remains after the programs, services, and funds receiving such other settlement moneys pursuant to subsection (1) of this section have been fully funded and all overexpenditures and supplemental appropriations allowed for the 2006-07, 2007-08, and 2008-09 fiscal years pursuant to section 24-22-115 (4) have been made:

(III) (A) The Colorado indigent care program created and existing pursuant to

part 1 of article 3 of title 25.5, C.R.S., shall receive eight and one-half percent of the settlement moneys which shall be transferred by the state treasurer to the supplemental tobacco litigation settlement moneys account of the comprehensive primary and preventative grant fund created in section 25.5-3-207 (4), C.R.S., and, subject to annual appropriation by the general assembly to the department of health care policy and financing, allocated to the Colorado indigent care program of the department for distribution as specified in said section to rural hospitals of sixty beds or less and all public hospitals, including hospitals that access federal funds only through certification of public expenditures, that participate in the program to provide health care to indigent persons.

(B) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III), FOR THE 2008-09 FISCAL YEAR, THE AMOUNT TRANSFERRED TO THE SUPPLEMENTAL TOBACCO LITIGATION SETTLEMENT MONEYS ACCOUNT OF THE COMPREHENSIVE PRIMARY AND PREVENTATIVE GRANT FUND SHALL BE REDUCED BY NINE HUNDRED SEVENTY-SEVEN THOUSAND THREE HUNDRED FIFTY-SIX DOLLARS, AND, ON THE EFFECTIVE DATE OF THIS SUB-SUBPARAGRAPH (B), SUCH AMOUNT SHALL BE TRANSFERRED TO THE GENERAL FUND. THIS SUB-SUBPARAGRAPH (B) IS REPEALED, EFFECTIVE JULY 1, 2011.

(IV) (A) The public health services support fund created in section 25-1-512 (2), C.R.S., shall receive seven percent of the settlement moneys, which the state treasurer shall transfer thereto and which, ~~subject to annual appropriation by the general assembly to the department of public health and environment, shall be used to provide additional per capita state support for basic and optional public health services, as defined by the state board of health, in accordance with section 25-1-512, C.R.S.~~ TO THE FUND TO BE USED FOR THE AUTHORIZED PURPOSES OF THE FUND.

(B) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV), FOR THE 2008-09 FISCAL YEAR, THE AMOUNT TRANSFERRED TO THE PUBLIC HEALTH SERVICES SUPPORT FUND SHALL BE REDUCED BY ONE HUNDRED FORTY-NINE THOUSAND SEVENTY DOLLARS, AND, ON THE EFFECTIVE DATE OF THIS SUB-SUBPARAGRAPH (B), SUCH AMOUNT SHALL BE TRANSFERRED TO THE GENERAL FUND. THIS SUB-SUBPARAGRAPH (B) IS REPEALED, EFFECTIVE JULY 1, 2010.

(V) ~~The supplemental tobacco litigation settlement moneys account of the children's basic health plan trust created in section 25.5-8-105, C.R.S., shall receive five percent of the settlement moneys, which the state treasurer shall transfer thereto.~~

(3) Notwithstanding the provisions of subsections (1) and (1.5) of this section, for purposes of sections 22-7-908 (3), 23-20-136 (3.5) (a), 25-4-1411 (6) (a), 25-4-1415 (2), 25-20.5-201 (2) (c), 25-23-104 (2), 25-31-107 (2) (d) (I), ~~25.5-3-207 (3), 25.5-8-105 (3), 25.5-3-207 (3), 25.5-6-805 (2), 25.5-8-105 (3), 27-10.3-106 (2) (b), and 28-5-709 (2) (a), C.R.S., strategic contribution fund moneys received and allocated by the state pursuant to said subsections (1) and (1.5) during the same fiscal year shall be deemed to be moneys received for or during the preceding fiscal year.~~

SECTION 3. 25-4-1411 (6) (a), Colorado Revised Statutes, is amended to read:

25-4-1411. AIDS drug assistance program - legislative declaration - no entitlement created. (6) (a) ~~Pursuant to section 24-75-1104.5 (1) (j), C.R.S.,~~ Beginning in the 2004-05 fiscal year, and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the general assembly shall appropriate to the department of public health and environment for the state program ~~three and a half percent of the amount of moneys transmitted to the state treasurer in accordance with the master settlement agreement, other than attorney fees and costs, for the preceding fiscal year, except that the amount so appropriated to the department in any fiscal year shall not exceed five million dollars~~ THE AMOUNT OF MONEYS TO BE RECEIVED BY THE STATE PROGRAM PURSUANT TO SECTION 24-75-1104.5 (1) (j), C.R.S. The general assembly shall appropriate the amount specified in this subsection (6) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 4. 25.5-6-805, Colorado Revised Statutes, is amended to read:

25.5-6-805. Colorado autism treatment fund. (1) The Colorado autism treatment fund is hereby created and established in the state treasury for the purpose of paying for services provided to eligible children pursuant to this part 8. Such fund shall be comprised of tobacco settlement moneys allocated to such fund. Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes of this part 8. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. Any moneys in the fund not expended for the purpose of this part 8 may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund.

(2) PURSUANT TO SECTION 24-75-1104.5 (1) (I), C.R.S., BEGINNING IN THE 2008-09 FISCAL YEAR AND IN EACH FISCAL YEAR THEREAFTER SO LONG AS THE STATE RECEIVES MONEYS PURSUANT TO THE MASTER SETTLEMENT AGREEMENT, THE STATE TREASURER SHALL ANNUALLY TRANSFER TO THE FUND THE AMOUNT OF MONEYS TO BE RECEIVED BY THE FUND PURSUANT TO SECTION 24-75-1104.5 (1) (I), C.R.S. THE STATE TREASURER SHALL TRANSFER THE AMOUNT SPECIFIED IN THIS SUBSECTION (2) FROM MONEYS CREDITED TO THE TOBACCO LITIGATION SETTLEMENT CASH FUND CREATED IN SECTION 24-22-115, C.R.S.

SECTION 5. 25.5-8-105 (1), (2), and (3), Colorado Revised Statutes, are amended to read:

25.5-8-105. Trust - created. (1) A fund to be known as the children's basic health plan trust is hereby created and established in the state treasury. ~~and an account to be known as the supplemental tobacco litigation settlement moneys account is hereby created in the trust.~~ Except as provided for in subsection (4) of this section, all moneys deposited in the ~~portion of the trust that is not the account~~ TRUST and all interest earned on moneys in the trust shall remain in the trust for the purposes set forth in this article, and no part thereof shall be expended or appropriated for any other purpose. The principal of the ~~account~~ TRUST shall be expended, subject to annual appropriation by the general assembly, solely for the

purposes set forth in this article. ~~except that, at the end of the 2007-08 fiscal year and at the end of each fiscal year thereafter, all unexpended and unencumbered principal of the account shall be transferred to the short-term innovative health program grant fund created in section 25-36-101 (2), C.R.S., in accordance with section 24-75-1104.5 (1.5) (b), C.R.S. Interest and income earned on the deposit and investment of moneys in the account shall be credited to the account and shall remain in the account until the end of the fiscal year in which credited, when it shall be transferred to the short-term innovative health program grant fund in accordance with section 24-75-1104.5 (1.5) (b), C.R.S.~~

(2) (a) Except as provided for in subsection (4) of this section, all or a portion of the moneys in the ~~portion of the trust that is not the supplemental tobacco litigation settlement moneys account~~ TRUST shall be annually appropriated by the general assembly for the purposes of this article and shall not be transferred to or revert to the general fund of the state at the end of any fiscal year.

(b) Notwithstanding the provisions of paragraph (a) of this subsection (2), moneys in the ~~portion of the trust that is not the supplemental tobacco litigation settlement moneys account~~ TRUST may be used to pay the state's portion of any computer system changes necessary to expand eligibility in the plan.

(3) (a) Pursuant to section 24-75-1104.5 (1) (c), C.R.S., beginning in the 2006-07 fiscal year and in each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall transfer to the ~~portion of the trust that is not the supplemental tobacco litigation settlement moneys account~~ TRUST twenty-four percent of the total amount of the moneys annually received by the state pursuant to the master settlement agreement, not including attorney fees and costs, during the preceding fiscal year; except that the amount so transferred to the trust shall not exceed thirty million dollars in any fiscal year. Except as otherwise provided in sections 24-22-115.5 (2) (a.7) and 24-75-1104.5 (1) (c), C.R.S., the state treasurer shall transfer the amount specified in this subsection (3) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S. The amount transferred pursuant to this subsection (3) shall be in addition to and not in replacement of any general fund moneys appropriated to the trust.

(b) Pursuant to section 24-75-1104.5 (1.5) (a) (V), C.R.S., beginning in the 2007-08 fiscal year and each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall transfer to the ~~supplemental tobacco litigation settlement moneys account of the trust~~ five percent of the portion of the moneys annually received by the state pursuant to the master settlement agreement, not including attorney fees and costs, during the preceding fiscal year that remains after the programs, services, and funds that receive such moneys pursuant to section 24-75-1104.5 (1), C.R.S., have been fully funded. For the 2007-08 fiscal year, the state treasurer shall transfer from the short-term innovative health program grant fund created in section 25-36-101, C.R.S., to the ~~account~~ TRUST the lesser of twenty-two thousand three hundred seven dollars or two and two-tenths percent of the amount allocated to the short-term innovative health program grant fund for the fiscal year pursuant to section 24-75-1104.5 (1.5) (a) (IX), C.R.S., enacted by Senate Bill 07-097 at the first regular session of the sixty-sixth general assembly. For the 2008-09 and 2009-10

fiscal years, the state treasurer shall transfer from the short-term innovative health program grant fund created in section 25-36-101, C.R.S., to the ~~account~~ TRUST the lesser of twenty-nine thousand five hundred fifteen dollars or one and four-tenths percent of the amount allocated to the short-term innovative health program grant fund for the fiscal year pursuant to section 24-75-1104.5 (1.5) (a) (IX), C.R.S., enacted by Senate Bill 07-097 at the first regular session of the sixty-sixth general assembly.

SECTION 6. 25-36-101 (5), Colorado Revised Statutes, is amended to read:

25-36-101. Short-term grants for innovative health programs - grant fund - creation - appropriation from fund - transfer of moneys for fiscal years 2007-08 to 2011-12. (5) Notwithstanding any other provision of this section, for the 2007-08 fiscal year, the state treasurer shall transfer from the short-term innovative health program grant fund to the supplemental tobacco litigation settlement moneys account of the children's basic health plan trust created in section 25.5-8-105, C.R.S., for the purposes of the "Children's Basic Health Plan Act", article 8 of title 25.5, C.R.S., the lesser of twenty-two thousand three hundred seven dollars or two and two-tenths percent of the amount allocated to the short-term innovative health program grant fund for the fiscal year pursuant to section 24-75-1104.5 (1.5) (a) (IX), C.R.S., enacted by Senate Bill 07-097 at the first regular session of the sixty-sixth general assembly. Notwithstanding any other provision of this section, for the 2008-09 and 2009-10 fiscal years, the state treasurer shall transfer from the short-term innovative health program grant fund to the ~~supplemental tobacco litigation settlement moneys account of the~~ children's basic health plan trust created in section 25.5-8-105, C.R.S., for the purposes of the "Children's Basic Health Plan Act", article 8 of title 25.5, C.R.S., the lesser of twenty-nine thousand five hundred fifteen dollars or one and four-tenths percent of the amount allocated to the short-term innovative health program grant fund for the fiscal year pursuant to section 24-75-1104.5 (1.5) (a) (IX), C.R.S., enacted by Senate Bill 07-097 at the first regular session of the sixty-sixth general assembly.

SECTION 7. Part V (4) and the affected totals of section 2 of chapter 474, Session Laws of Colorado 2008, as amended by Senate Bill 09-187, are amended to read:

Section 2. **Appropriation.**

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART V
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING**

(4) INDIGENT CARE PROGRAM

Safety Net Provider Payments	296,188,630	13,090,782(M)		135,003,533 ^a		148,094,315
Colorado Health Care Services Fund	15,000,000	15,000,000				
The Children's Hospital, Clinic Based Indigent Care Health Care Services Fund Programs	27,029,760	3,059,880(M)			10,455,000 ^b	13,514,880
Pediatric Speciality Hospital	9,090,000				4,545,000 ^b	4,545,000
H.B. 05-1262 Appropriation from General Fund to Pediatric Speciality Hospital Fund	8,828,584	3,551,000(M)		368,292 ^c	495,000 ^d	4,414,292
H.B. 05-1262 Appropriation from Tobacco Tax Cash Fund to the General Fund	495,000		495,000 ^e			
Primary Care Fund Program	31,294,657			495,000 ^f		
				31,294,657 ^g		

Children's Basic Health Plan Administration	6,351,590	2,785,441 ^j	3,566,149
Children's Basic Health Plan Premium Costs ¹⁴	125,467,443	44,120,656 ^k	81,346,787
Children's Basic Health Plan Dental Benefit Costs ¹⁵	10,404,713	3,641,650 ^l	6,763,063
Comprehensive Primary and Preventive Care Grants Program	3,082,680	3,082,680 ^m	
Comprehensive Primary and Preventative Care Rural and Public Hospitals Payment	6,260,962 5,000,000	3,130,481ⁿ 2,153,125 ^m	3,130,481 2,846,875
	<u>539,989,019</u>		
	538,728,057		

^a This amount represents public funds certified as representing expenditures incurred by hospitals that are eligible for federal financial participation under the Medicaid Major Teaching Hospital Program, Medicaid, and the Medicaid Disproportionate Share Payments to Hospitals Program.

^b These amounts shall be from the Health Care Services Fund created in Section 25.5-3-112 (1) (a), C.R.S.

^c This amount shall be from the Supplemental Tobacco Litigation Settlement Moneys Account in the Pediatric Specialty Hospital Fund created in Section 24-22-117 (2) (e) (II), C.R.S.

^d This amount shall be from the Pediatric Specialty Hospital Fund created in Section 24-22-117 (2) (e), C.R.S.

^e This amount is not subject to the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. This amount is also not subject to the statutory limitation on General Fund appropriation growth or any other spending limitation existing in law pursuant to Article X, Section 21 (8) of the State Constitution.

^f This amount shall be from the Tobacco Tax Cash Fund created in Section 24-22-117 (1) (a), C.R.S. This appropriation partially meets the requirement to appropriate a portion of the revenues collected from imposition of additional state cigarette and tobacco taxes to the General Fund pursuant to Section 21 of Article X of the State Constitution.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

* This amount shall be from the Primary Care Fund created in Section 24-22-117 (2) (b) (I), C.R.S.

¹ Of this amount, \$2,245,441 shall be from the Children's Basic Health Plan Trust Fund created in Section 25.5-8-105 (1), C.R.S., and \$540,000 shall be from the Health Care Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.

² Of this amount, \$18,993,282 shall be from the Health Care Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.; \$23,114,664 shall be from the Children's Basic Health Plan Trust Fund created in Section 25.5-8-105 (1), C.R.S.; 1,841,459 shall be from the Children's Basic Health Plan Trust and Supplemental Tobacco Litigation Settlement Moneys Account created in Section 25.5-8-105 (1), C.R.S.; and \$171,251 shall be from the Colorado Immunization Fund created in Section 25-4-2301, C.R.S.

³ Of this amount, \$2,317,508 shall be from the Children's Basic Health Plan Trust Fund created in Section 25.5-8-105 (1), C.R.S.; \$1,324,142 shall be from the Health Care Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.

^m This amount shall be from the Comprehensive Primary and Preventive Care Fund created in Section 25.5-3-207 (1), C.R.S.

**TOTALS PART V
(HEALTH CARE
POLICY AND
FINANCING)**

	\$ 3,826,744,396	\$1,199,999,538	\$369,495,000 ^a	\$ 366,908,676 ^a	\$22,948,578	\$ 1,867,392,604
	<u>\$3,825,483,434</u>			<u>\$365,931,320^b</u>		<u>\$1,867,108,998</u>

^a Of this amount, \$369,000,000 shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S., and \$495,000 shall be General Fund Exempt pursuant to Section 24-22-117 (1) (c) (I) (B), C.R.S. Further, said \$495,000 is also not subject to the statutory limitation on General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

^b This amount includes \$725,001 from the Colorado Autism Treatment Fund created in Section 25.5-6-805, C.R.S., and represents the total amount that the State Treasurer shall transfer from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (1) (a), C.R.S., to the Colorado Autism Treatment Fund pursuant to Section 24-22-115 (1) (a), C.R.S.

SECTION 8. Part XVI (4) (A), (9) (B) (3), and the affected totals of section 2 of chapter 474, Session Laws of Colorado 2008, are amended to read:

Section 2. **Appropriation.**

**PART XVI
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

(4) LOCAL HEALTH SERVICES

(A) Local Liaison

Public Health Nurses in areas not served by local health departments	1,425,663 1,401,593	962,731	462,932^e 438,862 ^a
Environmental Health Specialists in areas not served by local health departments	242,358	242,358	
Local, District and Regional Health Department Distributions pursuant to Section 25-1-516, C.R.S.	7,243,313	5,000,000	2,243,313^e

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
				2,118,313 ^a		
<u>7,118,313</u>						
8,911,334						
8,762,264						

^a These amounts shall be from the Public Health Services Per Capita Support Fund created in Section 25-1-516 (2), C.R.S.

~~9,441,634~~
9,292,564

(9) DISEASE CONTROL AND ENVIRONMENTAL EPIDEMIOLOGY DIVISION

(B) Special Purpose Disease Control Programs

(3) Ryan White Act

Personal Services	318,692	27,309 (0.4 FTE)		291,383 (3.6 FTE)
Operating Expenses	13,057,028 12,992,028	1,357,404	3,727,624^a 3,662,624 ^a	7,972,000
	<u>13,375,720</u> 13,310,720			

^a This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (1) (a), C.R.S., which is received as a damage award and, as such, does not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

70,269,316

70,204,316

**TOTALS PART XVI
(PUBLIC HEALTH AND
ENVIRONMENT)**

\$465,787,156	\$26,308,837	\$495,000 ^a	\$160,157,973	\$69,183,635	\$209,641,711
<u>\$465,573,086</u>			<u>\$159,943,903</u>		

^a This amount is not subject to the limitation on General Fund appropriations set forth in Section 24-75-201.1, C.R.S., or any other spending limitation existing in law pursuant to Article X, Section 21 (8) of the State Constitution.

SECTION 9. 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 16, 2009