

CHAPTER 298

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 09-1020

BY REPRESENTATIVE(S) Acree, Gardner B., Gerou, Kefalas, Kerr J., Ryden, Summers, Todd, Vigil;
also SENATOR(S) Spence, Boyd, Newell.

AN ACT**CONCERNING EXPEDITED PROCESSES FOR REENROLLMENT IN PUBLICLY FUNDED MEDICAL PROGRAMS.**

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

SECTION 1. 25.5-4-205 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25.5-4-205. Application - verification of eligibility - demonstration project - rules - repeal. (3) (e) (I) IN COLLABORATION WITH AND TO AUGMENT THE STATE DEPARTMENT'S EFFORTS TO SIMPLIFY ELIGIBILITY DETERMINATIONS FOR BENEFITS UNDER THE STATE MEDICAL ASSISTANCE PROGRAM AND THE CHILDREN'S BASIC HEALTH PLAN, THE STATE DEPARTMENT SHALL ESTABLISH A PROCESS SO THAT A RECIPIENT, ENROLLEE, OR THE PARENT OR GUARDIAN OF A RECIPIENT OR ENROLLEE MAY APPLY FOR REENROLLMENT EITHER OVER THE TELEPHONE OR THROUGH THE INTERNET.

(II) (A) SUBJECT TO RECEIPT OF FEDERAL AUTHORIZATION AND SPENDING AUTHORITY, THE STATE DEPARTMENT MAY IMPLEMENT A PILOT PROGRAM THAT ALLOWS A LIMITED NUMBER OF RECIPIENTS OR ENROLLEES TO APPLY FOR REENROLLMENT EITHER OVER THE TELEPHONE OR THROUGH THE INTERNET DURING A TRANSITION TO A PROCESS THAT WILL SERVE RECIPIENTS AND ENROLLEES STATEWIDE. THE PILOT PROGRAM SHALL NOT SERVE AS A REPLACEMENT FOR A STATEWIDE PROCESS.

(B) NOTWITHSTANDING ANY OTHER PROVISION IN THIS PARAGRAPH (e), THE STATE DEPARTMENT SHALL NOT IMPLEMENT THIS PARAGRAPH (e) UNTIL IT CAN VERIFY THE ELIGIBILITY OF A RECIPIENT OR ENROLLEE OVER THE TELEPHONE OR THROUGH THE INTERNET AS AUTHORIZED BY RULES OF THE STATE DEPARTMENT AND

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

FEDERAL LAW.

(C) NOTWITHSTANDING ANY OTHER PROVISION IN THIS PARAGRAPH (e), THE STATE DEPARTMENT SHALL NOT IMPLEMENT OR ADMINISTER ANY PORTION OF THIS PARAGRAPH (e) UNTIL SPENDING AUTHORITY HAS BEEN RECEIVED IN THE GENERAL APPROPRIATION ACT OR ANY SUPPLEMENTAL APPROPRIATION AND SHALL ONLY IMPLEMENT AND ADMINISTER THIS PARAGRAPH (e) TO THE EXTENT OF SUCH SPENDING AUTHORITY.

(III) THE STATE DEPARTMENT MAY SOLICIT AND ACCEPT GIFTS, GRANTS, AND DONATIONS FROM PUBLIC OR PRIVATE SOURCES FOR THE DEVELOPMENT OR IMPLEMENTATION OF REENROLLMENT EITHER OVER THE TELEPHONE OR THROUGH THE INTERNET PROCESS DESCRIBED IN THIS PARAGRAPH (e); EXCEPT THAT THE STATE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS PARAGRAPH (e) OR ANY OTHER LAW. ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE STATE DEPARTMENT SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING CASH FUND CREATED PURSUANT TO SECTION 25.5-1-109.

SECTION 2. 25.5-8-109 (4.5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25.5-8-109. Eligibility - children - pregnant women - repeal.
(4.5) (c) SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF SECTION 25.5-4-205 (3) (e), THE DEPARTMENT SHALL ESTABLISH A PROCESS SO THAT AN ENROLLEE OR THE PARENT OR GUARDIAN OF AN ENROLLEE MAY APPLY FOR REENROLLMENT EITHER OVER THE TELEPHONE OR THROUGH THE INTERNET.

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 21, 2009