

CHAPTER 333

HEALTH CARE POLICY AND FINANCING

SENATE BILL 15-011

BY SENATOR(S) Todd, Aguilar, Carroll, Grantham, Guzman, Heath, Hodge, Jones, Kefalas, Kerr, Lundberg, Merrifield, Newell, Roberts;
 also REPRESENTATIVE(S) Primavera, Brown, Danielson, Fields, Ginal, Kraft-Tharp, Lebsock, Lee, Moreno, Rosenthal, Ryden, Salazar, Vigil, Williams, Young, Hullinghorst.

AN ACT

CONCERNING THE PILOT PROGRAM FOR PERSONS WITH SPINAL CORD INJURIES RELATING TO THE USE OF COMPLEMENTARY AND ALTERNATIVE MEDICINE, 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, **amend** 25.5-6-1301 as follows:

25.5-6-1301. Legislative declaration. (1) The general assembly finds that:

(a) A person with a spinal cord injury could benefit from complementary and alternative ~~therapies~~ MEDICINE such as chiropractic care, massage therapy, or acupuncture; and

(b) Complementary and alternative ~~therapies~~ MEDICINE could improve the quality of life and help reduce the need for continuous or more expensive procedures, medications, and hospitalizations for a person with a spinal cord injury and could allow a person with a spinal cord injury to be employed.

SECTION 2. In Colorado Revised Statutes, 25.5-6-1302, **amend** (1) and (3) as follows:

25.5-6-1302. Definitions. As used in this part 13, unless the context otherwise requires:

(1) "Complementary or alternative ~~therapy~~ MEDICINE" means a form of diverse health care ~~therapy~~ SERVICES not provided for under this article or article 4 or 5 of

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

this title prior to August 5, 2009, but authorized by the rules of the state board adopted pursuant to section 25.5-6-1303 (4). The ~~therapy shall be~~ MEDICINE IS limited to chiropractic care, massage therapy, and acupuncture performed by licensed or certified providers.

(3) "Pilot program" means the pilot program authorized pursuant to section 25.5-6-1303 to allow an eligible person with a disability to receive complementary and alternative ~~therapies~~ MEDICINE.

SECTION 3. In Colorado Revised Statutes, 25.5-6-1303, **amend** (1), (2) (a), (2) (b) (III), (5), and (7); and **repeal** (6) 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 ~~therapies~~ MEDICINE to the extent authorized by federal waiver. The pilot program ~~shall~~ 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 ~~shall~~ MUST include, but need not be limited to, persons with spinal cord injuries who are receiving complementary or alternative ~~therapies~~ 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 ~~is authorized to~~ MAY seek any federal waivers that may be necessary to implement this part 13.

(b) SUBJECT TO AVAILABLE FUNDS, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE STATE DEPARTMENT ENROLL EVERY ELIGIBLE PERSON THAT APPLIES FOR THE WAIVER AND THAT AN ELIGIBLE PERSON IS NOT PLACED ON A WAITING LIST FOR SERVICES.

(2) (a) The purpose of the pilot program ~~shall be~~ IS to expand the choice of therapies available to eligible persons with disabilities, to study the success of complementary and alternative ~~therapies~~ MEDICINE, and to produce an overall cost savings for the state compared to the estimated expenditures that would have otherwise been spent for the same persons with spinal cord injuries absent the pilot program.

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

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

(5) The state department shall cause to be conducted an independent evaluation of the pilot program to be completed ~~by the end of the third year of the pilot program~~ NO LATER THAN JANUARY 1, 2020. The state department shall provide a report of the evaluation to the health and human services committees of the senate and the house of representatives, or any successor committees. ~~by August 1, 2015.~~

The report on the evaluation ~~shall~~ MUST include the following:

- (a) The number of eligible persons with disabilities participating in the pilot program;
- (b) The cost-effectiveness of the pilot program;
- (c) Feedback from consumers and the state department concerning the progress and success of the pilot program;
- (d) Any changes to the health status or health outcomes of the persons participating in the pilot program;
- (e) Other information relevant to the success and problems of the pilot program; and
- (f) Recommendations concerning the feasibility of continuing the pilot program beyond the pilot stage and changes, if any, that are needed.

~~(6) The state department is authorized to seek and accept gifts, grants, or donations from private or public sources for the purposes of this part 13; except that the state department shall not accept a gift, grant, or donation if it is subject to conditions that are inconsistent with this part 13 or any other law of the state. The state department shall transmit all private and public moneys received through gifts, grants, or donations 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.~~

~~(7) Unless the state department receives sufficient moneys from either the general fund or from gifts, grants, and donations made pursuant to subsection (6) of this section APPROPRIATIONS, the state department shall not be~~ IS NOT required to seek federal approval or implement the pilot program.

SECTION 4. In Colorado Revised Statutes, **amend** 25.5-6-1304 as follows:

25.5-6-1304. Repeal of part. This part 13 is repealed, effective September 1, ~~2015~~ 2020.

SECTION 5. Appropriation. (1) For the 2015-16 state fiscal year, \$179,347 is appropriated to the department of health care policy and financing. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

- (a) \$25,520 for personal services related to general administration, which amount is based on an assumption that the department will require an additional 0.8 FTE;
- (b) \$3,032 for operating expenses related to general administration;
- (c) \$27,500 for general professional services and special projects; and
- (d) \$123,295 for medical services premiums, which is subject to the "(M)"

notation as defined in the general appropriation act for the same fiscal year.

(2) For the 2015-16 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive \$183,302 in federal funds. 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) \$25,519 for personal services related to general administration;
- (b) \$3,031 for operating expenses related to general administration;
- (c) \$27,500 for general professional services and special projects; and
- (d) \$127,252 for medical services premiums.

SECTION 6. 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: June 5, 2015