

HB1094\_L.006

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.HB18-1094 be amended as follows:

1 Amend printed bill, page 5, after line 17 insert:

2 "(8) "FIRST-LEVEL APPEAL" MEANS THE INITIAL PROCESS A  
3 MEDICAID MEMBER IS REQUIRED TO ENACT TO CONTEST A BENEFIT,  
4 SERVICE, OR ELIGIBILITY DECISION MADE BY MEDICAID OR A MEDICAID  
5 MANAGED CARE ENTITY.

6 (9) "MEDICAID CHILD OR YOUTH WHO IS AT RISK OF OUT-OF-HOME  
7 PLACEMENT" MEANS A CHILD OR YOUTH WHO IS CATEGORICALLY ELIGIBLE  
8 FOR MEDICAID BUT WHO OTHERWISE MEETS THE DEFINITION OF A CHILD OR  
9 YOUTH WHO IS AT RISK OF OUT-OF-HOME PLACEMENT AS DEFINED IN  
10 SUBSECTION (2) OF THIS SECTION."

11 Renumber succeeding subsections accordingly.

12 Page 5, strike line 20 and substitute "SERVICES".

13 Page 5, line 21, strike "FINANCING".

14 Page 6, strike lines 15 through 17 and substitute "~~whether the child is~~  
15 ~~categorically eligible for medicaid under the capitated mental health~~  
16 ~~system described in section 25.5-5-411, C.R.S., or whether the parent~~  
17 ~~believes his or her child is a child~~ IF THE PARENT OR".

18 Page 8, before line 16 insert:

19 "(1.5) (a) THE PARENT OR GUARDIAN OF A MEDICAID CHILD OR  
20 YOUTH WHO IS AT RISK OF OUT-OF-HOME PLACEMENT MAY REQUEST,  
21 WITHIN FIVE DAYS AFTER ALL FIRST-LEVEL MEDICAID APPEALS PROCESSES  
22 ARE EXHAUSTED, AN OBJECTIVE THIRD PARTY AT THE STATE DEPARTMENT  
23 WHO IS A PROFESSIONAL PERSON TO REVIEW THE SERVICE REQUEST MADE  
24 TO MEDICAID. A FAMILY ADVOCATE, FAMILY SYSTEM NAVIGATOR, OR  
25 COUNTY DEPARTMENT MAY ASSIST A FAMILY IN FILING AN APPEAL. THE  
26 REVIEW MUST OCCUR WITHIN THREE WORKING DAYS OF THE PARENT'S OR  
27 GUARDIAN'S REQUEST.

28 (b) THE ADMINISTRATIVE LAW JUDGE CONSIDERING THE MEDICAID  
29 APPEAL FOR THE MEDICAID CHILD OR YOUTH WHO IS AT RISK OF  
30 OUT-OF-HOME PLACEMENT SHALL TAKE INTO CONSIDERATION THE  
31 OBJECTIVE THIRD-PARTY REVIEW BY THE STATE DEPARTMENT AS PART OF  
32 HIS OR HER RECONSIDERATION AND DECISION OF THE MEDICAID SERVICE  
33 REQUEST."

- 1 Page 10, strike lines 13 through 27.
- 2 Strike page 11.
- 3 Page 12, strike lines 1 through 8
- 4 Renumber succeeding subsection accordingly.
- 5 Page 12, lines 10 and 11, strike "SUBSECTIONS (1) AND (2)" and substitute
- 6 "SUBSECTION (1)".
- 7 Page 15, line 7, strike "(8)" and substitute "(10)".

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