

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB22-1302 be amended as follows:

1 Amend reengrossed bill, page 11, after line 4 insert:

2 **"SECTION 4.** In Colorado Revised Statutes, **add** 25.5-6-115 as
3 follows:

4 **25.5-6-115. Community placement transformation - creation**
5 **- report - repeal.** (1) THE STATE DEPARTMENT SHALL UNDERTAKE
6 EFFORTS TO TRANSFORM THE STATE DEPARTMENT'S PROCESS FOR CLIENTS
7 ATTEMPTING TO RECEIVE LONG-TERM CARE IN THE COMMUNITY.

8 (2) IN ORDER TO AFFIRM COLORADO'S COMMITMENT TO THE
9 UNITED STATES SUPREME COURT'S DECISION IN *OLMSTEAD v. L.C.*, 527
10 U.S. 581 (1999), AND TO THE FEDERAL "AMERICANS WITH DISABILITIES
11 ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, AND RESPOND
12 TO THE UNITED STATES DEPARTMENT OF JUSTICE'S LETTER OF FINDINGS,
13 DATED MARCH 3, 2022, CONCERNING THE INVESTIGATION OF COLORADO'S
14 USE OF NURSING FACILITIES TO SERVE ADULTS WITH PHYSICAL
15 DISABILITIES, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO
16 THE STATE DEPARTMENT IN ORDER TO ADVANCE COMMUNITY PLACEMENT
17 AND INTEGRATION FOR INDIVIDUALS WITH DISABILITIES.

18 (3) NO LATER THAN JANUARY 2023, AND JANUARY 2024, THE
19 STATE DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE,
20 THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND
21 HUMAN SERVICES COMMITTEE, AND THE SENATE HEALTH AND HUMAN
22 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AS PART OF ITS
23 "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND
24 TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY
25 SECTION 2-7-203. AT A MINIMUM, THE REPORT MUST INCLUDE AN
26 ANALYSIS AND RECOMMENDATIONS ON THE FOLLOWING:

27 (a) THE STATE DEPARTMENT'S WORK AND STRATEGIC PLANNING
28 REGARDING FULFILLING COLORADO'S COMMITMENT TO THE *OLMSTEAD*
29 DECISION TO ENSURE COMMUNITY LIVING;

30 (b) PROGRAMMATIC DECISIONS, ANALYSIS, AND POLICY CHANGES
31 IN ACCORDANCE WITH THE FEDERAL "AMERICANS WITH DISABILITIES ACT
32 OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED; AND

33 (c) INFORMATION REGARDING THE STATE DEPARTMENT'S
34 COORDINATION, PROGRAMMATIC OR MEDICAID BENEFIT CHANGES,
35 IMPLEMENTATION OF QUALITY OVERSIGHT STRATEGIES, AND METRICS
36 AROUND COMMUNITY INTEGRATION.

37 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

38 **SECTION 5. Appropriation.** (1) For the 2022-23 state fiscal
39 year, \$616,968 is appropriated to the department of health care policy and

1 financing for use by the executive director's office. This appropriation is
2 from the general fund. To implement this act, the office may use this
3 appropriation as follows:

4 (a) \$440,226 for personal services, which amount is based on an
5 assumption that the office will require an additional 12.0 FTE;

6 (b) \$5,882 for operating expenses;

7 (c) \$40,860 for leased space;

8 (d) \$80,000 for general professional services and special projects;

9 and

10 (e) \$50,000 for Medicaid management information system
11 maintenance and projects.

12 (2) For the 2022-23 state fiscal year, the general assembly
13 anticipates that the department of health care policy and financing will
14 receive \$986,948 in federal funds to implement this act, which amount is
15 subject to the "(I)" notation as defined in the annual general appropriation
16 act for the same fiscal year. The appropriation in subsection (1) of this
17 section is based on the assumption that the department will receive this
18 amount of federal funds to be used as follows:

19 (a) \$413,090 for personal services;

20 (b) \$5,518 for operating expenses;

21 (c) \$38,340 for leased space;

22 (d) \$80,000 for general professional services and special projects;

23 and

24 (e) \$450,000 for Medicaid management information system
25 maintenance and projects.".

26 Renumber succeeding sections accordingly.

27 Page 12, line 11, strike "later." and substitute "later, and sections 4 and 5
28 of this act take effect only if House Bill 22-1411 becomes law, in which
29 case sections 4 and 5 take effect either upon the effective date of this act
30 or House Bill 22-1411, whichever is later.".

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