

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Feret

1 Amend printed bill, page 3, after line 16 insert:

2 "SECTION 2. In Colorado Revised Statutes, 25.5-4-103, **amend**
3 (20) as follows:

4 **25.5-4-103. Definitions.**

5 As used in this article 4 and articles 5 and 6 of this title 25.5,
6 unless the context otherwise requires:

7 (20) ~~"Qualified alien" shall have~~ "QUALIFIED NONCITIZEN" HAS the
8 meaning ascribed to that term in section 431 (b) of the federal "Personal
9 Responsibility and Work Opportunity Reconciliation Act of 1996", Public
10 Law 104-193, as amended."

11 Renumber succeeding sections accordingly.

12 Page 5, after line 26 insert:

13 "SECTION 7. In Colorado Revised Statutes, 25.5-5-101, **repeal**
14 (2); and **add** (1)(n) and (1)(o) as follows:

15 **25.5-5-101. Mandatory provisions - eligible groups - rules.**

16 (1) In order to participate in the medicaid program, the federal
17 government requires the state to provide medical assistance to certain
18 eligible groups. Pursuant to federal law and except as provided in
19 subsection (2) of this section, any person who is eligible for medical
20 assistance under the mandated groups specified in this section must
21 receive both the mandatory services that are specified in sections
22 25.5-5-102 and 25.5-5-103 and the optional services that are specified in
23 sections 25.5-5-202 and 25.5-5-203. Subject to the availability of federal
24 financial participation, the following are the individuals or groups that are
25 mandated under federal law to receive benefits under this article 5 and
26 articles 4 and 6 of this title 25.5:

27 (n) A QUALIFIED NONCITIZEN WHO ENTERED THE UNITED STATES
28 BEFORE AUGUST 22, 1996, SHALL RECEIVE BENEFITS UNDER THIS ARTICLE
29 5 AND ARTICLES 4 AND 6 OF THIS TITLE 25.5;

30 (o) A QUALIFIED NONCITIZEN WHO ENTERED THE UNITED STATES
31 ON OR AFTER AUGUST 22, 1996, IS NOT ELIGIBLE FOR BENEFITS UNDER THIS
32 ARTICLE 5 OR ARTICLE 4 OR 6 OF THIS TITLE 25.5 FOR FIVE YEARS AFTER
33 THE DATE OF ENTRY IN THE UNITED STATES; EXCEPT THAT THE STATE
34 DEPARTMENT MAY PROVIDE BENEFITS UNDER THIS ARTICLE 5 AND
35 ARTICLES 4 AND 6 OF THIS TITLE 25.5 TO A PREGNANT PERSON WHO IS A
36 QUALIFIED ALIEN NONCITIZEN AND A CHILD UNDER NINETEEN YEARS OLD
37 WHO IS A QUALIFIED NONCITIZEN, SO LONG AS THE PREGNANT PERSON OR
38 CHILD MEETS ELIGIBILITY CRITERIA OTHER THAN CITIZENSHIP. COVERAGE

1 OF INDIVIDUALS IN THIS GROUP IS SUBJECT TO THE RECEIPT OF FEDERAL
2 FINANCIAL PARTICIPATION, UNLESS STATE FUNDS ARE SPECIFICALLY
3 APPROPRIATED FOR COVERAGE OF GROUPS FOR WHOM FEDERAL FINANCIAL
4 PARTICIPATION IS UNAVAILABLE.

5 ~~(2) (a) A qualified alien who entered the United States before~~
6 ~~August 22, 1996, who meets the exceptions described in the federal~~
7 ~~"Personal Responsibility and Work Opportunity Reconciliation Act of~~
8 ~~1996", Public Law 104-193, as amended, shall receive benefits under this~~
9 ~~article and articles 4 and 6 of this title.~~

10 ~~(b) (I) A qualified alien who entered the United States on or after~~
11 ~~August 22, 1996, shall not be eligible for benefits under this article or~~
12 ~~article 4 or 6 of this title, except as provided in section 25.5-5-103 (3), for~~
13 ~~five years after the date of entry into the United States unless he or she~~
14 ~~meets the exceptions described in the federal "Personal Responsibility~~
15 ~~and Work Opportunity Reconciliation Act of 1996", Public Law 104-193,~~
16 ~~as amended.~~

17 ~~(H) Notwithstanding the five-year waiting period established in~~
18 ~~subparagraph (I) of this paragraph (b), but subject to the availability of~~
19 ~~sufficient appropriations and the receipt of federal financial participation,~~
20 ~~the state department may provide benefits under this article and articles~~
21 ~~4 and 6 of this title to a pregnant woman who is a qualified alien and a~~
22 ~~child under nineteen years of age who is a qualified alien so long as such~~
23 ~~woman or child meets eligibility criteria other than citizenship.~~

24 **SECTION 8.** In Colorado Revised Statutes, 25.5-5-201, **amend**
25 **(1)(j) and (1)(k); and repeal (2) as follows:**

26 **25.5-5-201. Optional provisions - optional groups - rules.**

27 (1) The federal government allows the state to select optional
28 groups to receive medical assistance. Pursuant to federal law, any person
29 who is eligible for medical assistance under the optional groups specified
30 in this section must receive both the mandatory services specified in
31 sections 25.5-5-102 and 25.5-5-103 and the optional services specified in
32 sections 25.5-5-202 and 25.5-5-203. Subject to the availability of federal
33 financial aid funds, the following are the individuals or groups that
34 Colorado has selected as optional groups to receive medical assistance
35 pursuant to this article 5 and articles 4 and 6 of this title 25.5:

36 (j) Individuals who are qualified ~~aliens~~ NONCITIZENS and were or
37 would have been eligible for supplemental security income as a result of
38 a disability but are not eligible for such supplemental security income as
39 a result of the passage of the federal "Personal Responsibility and Work
40 Opportunity Reconciliation Act of 1996", Public Law 104-193;

41 (k) Other qualified ~~aliens~~ NONCITIZENS who entered or were
42 present in the United States before August 22, 1996;

43 ~~(2) (a) A qualified alien, who entered the United States on or after~~

1 ~~August 22, 1996, shall not be eligible for benefits under this article and~~
2 ~~articles 4 and 6 of this title, except as provided in section 25.5-5-103 (3),~~
3 ~~for five years after the date of entry into the United States unless he or she~~
4 ~~meets the exceptions described in the federal "Personal Responsibility~~
5 ~~and Work Opportunity Reconciliation Act of 1996", Public Law 104-193,~~
6 ~~as amended. After five years, such qualified alien shall be eligible for~~
7 ~~benefits under this article and articles 4 and 6 of this title but shall have~~
8 ~~sponsor income and resources deemed to the individual or family under~~
9 ~~rules established by the state board of human services pursuant to section~~
10 ~~26-2-137, C.R.S.~~

11 ~~(b) Notwithstanding the five-year waiting period established in~~
12 ~~paragraph (a) of this subsection (2), but subject to the availability of~~
13 ~~sufficient appropriations and the receipt of federal financial participation,~~
14 ~~the state department may provide benefits under this article and articles~~
15 ~~4 and 6 of this title to a pregnant woman who is a qualified alien and a~~
16 ~~child under nineteen years of age who is a qualified alien so long as such~~
17 ~~woman or child meets eligibility criteria other than citizenship."~~

18 Renumber succeeding sections accordingly.

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