

CHAPTER 240

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 26-1367

BY REPRESENTATIVE(S) Brown and Taggart, Sirota;
also SENATOR(S) Bridges and Kirkmeyer, Amabile, Wallace.

AN ACT

**CONCERNING FEDERAL MONEY PAYABLE AS REIMBURSEMENT OF A PUBLIC EXPENDITURE WHEN
THE FEDERAL MONEY EXCEEDS FIFTY PERCENT OF THE EXPENDITURE AMOUNT.**

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

SECTION 1. In Colorado Revised Statutes, **add** 25.5-4-217 as follows:

25.5-4-217. Federal reimbursement for public expenditures - excess to general fund - repeal.

(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE STATE FISCAL YEAR STARTING JULY 1, 2021, AND ANY SUBSEQUENT FISCAL YEARS, IF A PROVIDER SUBMITS A CERTIFICATION OF PUBLIC EXPENDITURES PURSUANT TO 42 CFR 433.51 (b), THE STATE DEPARTMENT SHALL RETAIN ANY FEDERAL MONEY PAYABLE AS REIMBURSEMENT FOR THE EXPENDITURE IN EXCESS OF FIFTY PERCENT OF THE EXPENDITURE AMOUNT; EXCEPT THAT THE STATE DEPARTMENT SHALL ONLY RETAIN THE FEDERAL MONEY BASED ON THE DATE OF SERVICE AS LONG AS THE INCREASED REIMBURSEMENTS AND PAYMENTS MADE PURSUANT TO THE FEDERAL "FAMILIES FIRST CORONAVIRUS RESPONSE ACT", PUB.L. 116-127 AND THE FEDERAL "CONSOLIDATED APPROPRIATIONS ACT, 2023", PUB.L. 117-328 ARE STILL AVAILABLE. THE STATE TREASURER SHALL TRANSFER THE MONEY TO THE GENERAL FUND CREATED IN SECTION 24-75-201 FOR APPROPRIATION TO THE STATE MEDICAL ASSISTANCE PROGRAM.

(2) THIS SECTION WILL BE REPEALED IF THE RECONCILIATION OF ALL REIMBURSEMENTS AND PAYMENTS FOR SERVICES DELIVERED DURING THE PERIOD OF INCREASED REIMBURSEMENT AND PAYMENT DESCRIBED IN SUBSECTION (1) OF THIS SECTION IS COMPLETED. THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE WHEN THE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

CONDITION SPECIFIED IN THIS SUBSECTION (2) HAS OCCURRED BY EMAILING THE NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV. THIS SECTION IS REPEALED, EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE COMPLETION OF THE APPLICABLE RECONCILIATIONS OCCURRED OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 29, 2026