Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB19-1269 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Public Health Care and Human Services Committee Report, dated April 5, 2019, page 3, strike lines 22 through 30 and substitute:

"Page 16 of the printed bill, lines 4 and 5, strike "provisions. (4)" and substitute "provisions - rules. (4) (a)."

Page 16 of the bill, strike line 15 and substitute "BOARD SHALL ESTABLISH, BY RULE, A PROCEDURE TO ALLOW FOR REIMBURSEMENT OF MEDICALLY NECESSARY STATE PLAN SERVICES UNDER".

Page 16 of the bill, lines 16 and 17, strike "PROGRAM THROUGH A PROCEDURE ESTABLISHED BY STATE BOARD RULE." and substitute "PROGRAM.".

Page 16 of the bill, after line 18 insert:

"(b) THE STATE BOARD SHALL ADOPT RULES ESTABLISHING THE PROCEDURES FOR REIMBURSEMENT PURSUANT TO THIS SUBSECTION (4) BY JANUARY 1, 2020.".

Page 16 of the bill, line 20, strike "and (16)" and substitute "(16), and (17)".

Page 16 of the bill, line 21, strike "definition." and substitute "definition - rules.".
Page 17 of the bill, strike line 4 and substitute "A REASONABLE PERIOD WHERE MEDICALLY NECESSARY".

Page 17 of the bill, line 5, strike "MEDICALLY NECESSARY," and strike INTERVALS;" and substitute "INTERVALS, AS DETERMINED BY STATE BOARD RULE;".

Page 17 of the bill, strike lines 10 through 17 and substitute "SERVICE; AND

(i) REQUIRE AN MCE TO COVER ALL MEDICALLY NECESSARY COVERED TREATMENTS FOR COVERED BEHAVIORAL HEALTH DIAGNOSES, REGARDLESS OF ANY CO-OCCURRING CONDITIONS.

(15) ON OR BEFORE JULY 1, 2020, THE STATE DEPARTMENT SHALL INCLUDE UTILIZATION MANAGEMENT GUIDELINES FOR THE MCEs IN THE STATE BOARD'S MANAGED CARE RULES.".

Renumber succeeding subsections accordingly.".

Page 4 of the committee report, strike line 1 and substitute:

"Page 17 of the bill, line 18, strike "MAKE EACH MCE ANNUAL" and substitute "PROVIDE INFORMATION ON ITS WEBSITE SPECIFYING HOW THE PUBLIC MAY REQUEST THE".

Page 17 of the bill, line 19, strike "PUBLIC." and substitute "AND QUARTERLY NETWORK REPORTS FOR AN MCE.".".

Page 4 of the committee report, after line 3 insert:

"Page 18 of the bill, line 1, strike "THE" and substitute "IF THE", and strike "SHALL EXAMINE ALL COMPLAINTS" and substitute "RECEIVES A COMPLAINT".

Page 18 of the bill, line 4, strike "RELATE" and substitute "RELATES", and strike "OR (15)".

Page 18 of the bill, line 5, strike "MHPAEA" and substitute "MHPAEA, THE STATE DEPARTMENT SHALL EXAMINE THE COMPLAINT, AS REQUESTED BY THE OFFICE,"."
Page 18 of the bill, line 6, strike "REGARDING" and substitute "ANY".

Page 18 of the bill, lines 6 and 7, strike "THESE COMPLAINTS." and substitute "THE COMPLAINT.".

Page 4 of the committee report, strike lines 10 through 18.

Page 4 of the committee report, after line 25 insert:

"Page 23 of the bill, after line 6 insert:

"(4) THE STATE DEPARTMENT SHALL CONTRACT WITH AN EXTERNAL QUALITY REVIEW ORGANIZATION AT LEAST ANNUALLY TO MONITOR MCEs' UTILIZATION MANAGEMENT PROGRAMS AND POLICIES, INCLUDING THOSE THAT GOVERN ADVERSE DETERMINATIONS, TO ENSURE COMPLIANCE WITH THE MHPAEA. THE QUALITY REVIEW REPORT MUST BE READILY AVAILABLE TO THE PUBLIC.".

Page 24 of the bill, after line 4 insert:

"SECTION 17. Appropriation. (1) For the 2019-20 state fiscal year, $181,751 is appropriated to the department of health care policy and financing. Of this appropriation $123,590 is from the general fund and $58,161 is from the healthcare affordability and sustainability fee cash fund created in section 25.5-4-402.4 (5)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $84,771, which consists of $57,644 from the general fund and $27,127 from the healthcare affordability and sustainability fee cash fund, for use by the executive director's office for personal services, which amount is based on an assumption that the department will require an additional 3.0 FTE;

(b) $8,480, which consists of $5,766 from the general fund and $2,714 from the healthcare affordability and sustainability fee cash fund, for use by the executive director's office for operating expenses; and

(c) $88,500, which consists of $60,180 from the general fund and $28,320 from the healthcare affordability and sustainability fee cash fund, for use by the executive director's office for general professional services and special projects.

(2) For the 2019-20 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $181,750 in federal funds to implement this act, which amount is included for informational purposes only. 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) $84,771 for use by the executive director’s office for personal services;
(b) $8,479 for use by the executive director’s office for operating expenses; and
(c) $88,500 for use by the executive director’s office for general professional services and special projects.

(3) For the 2019-20 state fiscal year, $88,248 is appropriated to the department of regulatory agencies for use by the division of insurance. This appropriation is from the division of insurance cash fund created in section 10-1-103 (3), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $82,500 for personal services, which amount is based on an assumption that the division will require an additional 1.1 FTE; and
(b) $5,748 for operating expenses.

Renumber succeeding sections accordingly.

Page 1, line 102, strike "PRACTICES." and substitute "PRACTICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".".

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