Committee on Appropriations.

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

SB21-286 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

Amend printed bill, page 9, lines 21 and 22, strike "TWO HUNDRED TWENTY-FIVE MILLION SEVEN HUNDRED THIRTY-FIVE THOUSAND FIFTEEN DOLLARS" and substitute "TWO HUNDRED SIXTY MILLION SEVEN HUNDRED THIRTY THOUSAND NINETY-NINE DOLLARS".

Page 10, line 13, strike "FUND." and substitute "GENERAL FUND.".

Page 11, after line 7 insert:

"SECTION 2. In Colorado Revised Statutes, 25.5-4-402.4, add (5)(c) as follows:

25.5-4-402.4. Hospitals - healthcare affordability and sustainability fee - legislative declaration - Colorado healthcare affordability and sustainability enterprise - federal waiver - fund created - rules - reports - repeal. (5) Healthcare affordability and sustainability fee cash fund. (c) ARPA home- and community-based services account. (I) THERE IS CREATED THE "ARPA HOME- AND COMMUNITY-BASED SERVICES ACCOUNT" WITHIN THE FUND, REFERRED TO IN THIS SUBSECTION (5)(c) AS THE "ARPA ACCOUNT". NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, MONEY IN THE ARPA ACCOUNT AS A RESULT OF FUND SAVINGS AND FEDERAL MATCHING DOLLARS MUST BE USED IN ACCORDANCE WITH SECTION 9817 OF THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS AMENDED, REFERRED TO IN THIS SECTION AS "ARPA", TO IMPLEMENT OR
SUPPLEMENT THE IMPLEMENTATION OF HOME- AND COMMUNITY-BASED
SERVICES UNDER THE MEDICAL ASSISTANCE PROGRAM PURSUANT TO THE
PROVISIONS OF PART 17 OF ARTICLE 6 OF THIS TITLE 25.5.

(II) (A) ON THE EFFECTIVE DATE OF THIS SUBSECTION (5)(c), THE
STATE TREASURER SHALL TRANSFER NINETEEN MILLION EIGHT HUNDRED
THIRTY THOUSAND NINE HUNDRED EIGHTEEN DOLLARS FROM THE FUND TO
THE ARPA ACCOUNT.

(B) IF THE FUND SAVINGS DUE TO THE ENHANCED FEDERAL MATCH
UNDER ARPA IS GREATER THAN THE AMOUNT TRANSFERRED TO THE
ARPA ACCOUNT UNDER SUBSECTION (5)(c)(II)(A) OF THIS SECTION, THEN
THE STATE DEPARTMENT SHALL NOTIFY THE STATE TREASURER OF THE
AMOUNT BY WHICH THE SAVINGS EXCEEDS THE TRANSFER. THE STATE
TREASURER SHALL TRANSFER THIS AMOUNT FROM THE FUND TO THE
ARPA ACCOUNT.

(C) IF THE FUND SAVINGS DUE TO THE ENHANCED FEDERAL MATCH
UNDER ARPA IS LESS THAN THE AMOUNT TRANSFERRED TO THE ARPA
ACCOUNT UNDER SUBSECTION (5)(c)(II)(A) OF THIS SECTION, THEN THE
STATE DEPARTMENT SHALL NOTIFY THE STATE TREASURER OF THE
AMOUNT BY WHICH THE TRANSFER EXCEEDS THE SAVINGS. THE STATE
TREASURER SHALL TRANSFER THIS AMOUNT FROM THE ARPA ACCOUNT
TO THE FUND.

(III) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
INCOME DERIVED FROM THE MONEY IN THE ARPA ACCOUNT TO THE FUND.

(IV) MONEY IN THE ARPA ACCOUNT IS SUBJECT TO ANNUAL
APPROPRIATION BY THE GENERAL ASSEMBLY CONSISTENT WITH THE
PURPOSES SPECIFIED IN THIS SECTION AND ARPA, AND PURSUANT TO PART
17 OF ARTICLE 6 OF THIS TITLE 25.5.

(V) MONEY IN THE ARPA ACCOUNT REMAINS IN THE ARPA
ACCOUNT UNTIL THE END OF THE SPENDING PERIOD AUTHORIZED UNDER
ARPA, AT WHICH TIME MONEY REMAINING IN THE ARPA ACCOUNT
BECOMES PART OF THE FUND.

(VI) THIS SUBSECTION (5)(c) IS REPEALED, EFFECTIVE JULY 1, 2025."

Page 11, line 9, strike "$432,656" and substitute "$378,843".

Page 11, line 11, strike "general fund" and substitute "the home- and
community-based services improvement fund created in section
25.5-6-1705 (1), C.R.S.".

Page 11, line 13, strike "$245,456" and substitute "$172,768".
Page 11, line 14, strike "and".

Page 11, after line 14 insert:

"(b) $18,875 for operating expenses; and".

Reletter succeeding paragraph accordingly.

Page 11, line 19, strike "$432,656" and substitute "$378,843".

Page 11, line 24, strike "$245,456" and substitute "$172,768" and strike "and".

Page 11, after line 24 insert:

"(b) $18,875 for operating expenses; and".

Reletter succeeding paragraph accordingly.

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