

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 11, 2016
Date

Committee on Public Health Care & Human Services.

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

HB16-1277 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 4, strike "**Appeals.**" and substitute
- 2 "**Appeals - rules.**".

- 3 Page 2, line 10, strike "STATE" and substitute "EXCEPT AS PERMITTED
- 4 UNDER FEDERAL LAW, STATE".

- 5 Page 2, line 11, strike "A TWENTY-DAY" and substitute "AT LEAST A
- 6 TEN-DAY".

- 7 Page 2, strike lines 13 and 14 and substitute "ASSISTANCE."

- 8 Page 3, strike line 1 and substitute "THE".

- 9 Page 3, line 2, after "COUNTY" insert "OR DESIGNATED SERVICE AGENCY".

- 10 Page 3, line 4, after "COUNTY" insert "OR SERVICE AGENCY".

- 11 Page 3, strike line 9 and substitute "DATE OF THE NOTICE".

- 12 Page 3, line 10, strike "MODIFICATION".

- 13 Page 3, line 20, after the period add "THE STATE DEPARTMENT SHALL
- 14 PROMULGATE RULES CONSISTENT WITH FEDERAL LAW THAT PRESCRIBE

1 THE CIRCUMSTANCES UNDER WHICH THE COUNTY OR DESIGNATED SERVICE
2 AGENCY MAY CONTINUE BENEFITS IF AN APPEAL IS FILED AFTER THE
3 EFFECTIVE DATE OF THE INTENDED ACTION. AT A MINIMUM, THE RULES
4 MUST ALLOW FOR CONTINUING BENEFITS WHEN THE RECIPIENT'S HEALTH
5 OR SAFETY IS IMPACTED, THE RECIPIENT WAS NOT ABLE TO TIMELY
6 RESPOND DUE TO THE RECIPIENT'S DISABILITY OR EMPLOYMENT, THE
7 RECIPIENT'S CAREGIVER WAS UNAVAILABLE DUE TO THE CAREGIVER'S
8 HEALTH OR EMPLOYMENT, OR THE RECIPIENT DID NOT RECEIVE THE
9 COUNTY'S OR DESIGNATED SERVICE AGENCY'S NOTICE PRIOR TO THE
10 EFFECTIVE DATE OF THE INTENDED ACTION."

11 Page 4, strike lines 21 through 25 and substitute "~~appeal~~ IF THE DISPUTE
12 IS RESOLVED THROUGH THE COUNTY OR SERVICE".

13 Page 5, line 13, strike "state department" and substitute "~~state department~~
14 OFFICE OF ADMINISTRATIVE COURTS".

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