

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0567.01 Brita Darling x2241

SENATE BILL 18-093

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SENATE SPONSORSHIP

**Moreno**, Martinez Humenik, Zenzinger, Tate

HOUSE SPONSORSHIP

**Arndt**, Hooton, Thurlow, McKean

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**Senate Committees**

Health & Human Services

**House Committees**

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A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF OBSOLETE PROVISIONS IN THE  
102 COLORADO MEDICAL ASSISTANCE PROGRAM RELATING TO THE  
103 INACTIVE HOME- AND COMMUNITY-BASED SERVICES WAIVER  
104 FOR PERSONS LIVING WITH AIDS.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Statutory Revision Committee.** The bill repeals the inactive home- and community-based services waiver under the Colorado medical assistance program for persons with health complexes related to acquired

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

immune deficiency syndrome (persons living with AIDS waiver). Due to the consolidation of home- and community-based services waivers under the Colorado medical assistance program, persons participating in the persons living with AIDS waiver were transferred to the home- and community-based services waiver for the elderly, blind, and disabled, and federal authorization for the persons living with AIDS waiver has been withdrawn.

The bill makes conforming amendments to remove references to the obsolete home- and community-based services waiver program.

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

2           **SECTION 1. Legislative declaration.** The general assembly  
3 declares the purpose of Senate Bill 18-\_\_\_\_, enacted in 2018, is to  
4 remove the inactive home- and community-based services waiver under  
5 the Colorado medical assistance program for persons with health  
6 complexes related to acquired immune deficiency syndrome, which was  
7 incorporated into another waiver, the home- and community-based  
8 services waiver for the elderly, blind, and disabled.

9           **SECTION 2.** In Colorado Revised Statutes, **repeal** part 5 of  
10 article 6 of title 25.5.

11           **SECTION 3.** In Colorado Revised Statutes, **repeal** 25.5-5-202  
12 (1)(c)(III).

13           **SECTION 4.** In Colorado Revised Statutes, **repeal** 25.5-5-203  
14 (1)(d).

15           **SECTION 5.** In Colorado Revised Statutes, **repeal** 25.5-6-104  
16 (3)(b)(VIII).

17           **SECTION 6.** In Colorado Revised Statutes, **repeal** 25.5-6-106  
18 (2)(b)(III).

19           **SECTION 7.** In Colorado Revised Statutes, 25.5-6-303, **amend**  
20 the introductory portion and (5)(a) as follows:

1           **25.5-6-303. Definitions.** As used in this part 3, ~~and part 5 of this~~  
2 ~~article,~~ unless the context otherwise requires:

3           (5) (a) "Case management agency" means agencies providing  
4 services on and before July 1, 1995, for home- and community-based  
5 programs for the elderly, blind, and disabled ~~and for persons living with~~  
6 ~~AIDS~~ shall be terminated July 1, 1995, and case management functions  
7 shall thereafter be performed in accordance with this ~~article~~ ARTICLE 6.

8           **SECTION 8. Act subject to petition - effective date.** This act  
9 takes effect at 12:01 a.m. on the day following the expiration of the  
10 ninety-day period after final adjournment of the general assembly (August  
11 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
12 referendum petition is filed pursuant to section 1 (3) of article V of the  
13 state constitution against this act or an item, section, or part of this act  
14 within such period, then the act, item, section, or part will not take effect  
15 unless approved by the people at the general election to be held in  
16 November 2018 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor.