

CHAPTER 62

HEALTH CARE POLICY AND FINANCING

SENATE BILL 18-093

BY SENATOR(S) Moreno, Martinez Humenik, Zenzinger, Tate, Jones;
also REPRESENTATIVE(S) Arndt, Hooton, Thurlow, McKean, Buckner, Lontine, Pettersen, Rosenthal.

AN ACT

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

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

SECTION 1. Legislative declaration. The general assembly declares the purpose of Senate Bill 18-093, enacted in 2018, is to remove the inactive home- and community-based services waiver under the Colorado medical assistance program for persons with health complexes related to acquired immune deficiency syndrome, which was incorporated into another waiver, the home- and community-based services waiver for the elderly, blind, and disabled.

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

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

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

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

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

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

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

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

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

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

Approved: March 22, 2018