

## CHAPTER 392

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**HEALTH CARE POLICY AND FINANCING**

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**HOUSE BILL 19-1285**

BY REPRESENTATIVE(S) Lontine, Duran, Michaelson Jenet, Snyder, Titone, Valdez A., Becker;  
also SENATOR(S) Fields, Court, Crowder, Ginal.

**AN ACT**

**CONCERNING THE REQUIREMENT FOR THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO CONTRACT WITH THE MANAGED CARE ORGANIZATION OPERATED BY DENVER HEALTH AND HOSPITAL AUTHORITY UNTIL THE MANAGED CARE ORGANIZATION CEASES TO OPERATE A MEDICAID MANAGED CARE PROGRAM.**

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

**SECTION 1.** In Colorado Revised Statutes, 25.5-5-402, **add (7.5)** as follows:

**25.5-5-402. Statewide managed care system - definition.** (7.5) (a) THE STATE DEPARTMENT SHALL OFFER TO ENTER INTO A DIRECT CONTRACT WITH THE MCO OPERATED BY OR UNDER THE CONTROL OF DENVER HEALTH AND HOSPITAL AUTHORITY, CREATED PURSUANT TO ARTICLE 29 OF TITLE 25, UNTIL THE MCO CEASES TO OPERATE A MEDICAID MANAGED CARE PROGRAM OR UNTIL JUNE 30, 2025, UNLESS SOONER REPROCURED. IF THE STATE DEPARTMENT DESIGNATES AN MCO TO MANAGE BEHAVIORAL HEALTH SERVICES PURSUANT TO THIS ARTICLE 5, DENVER HEALTH AND HOSPITAL AUTHORITY, OR ANY SUBSIDIARY THEREOF, SHALL COLLABORATE WITH THE MCO DURING THE TERM OF CONTRACT.

(b) THE MCO OPERATED BY OR UNDER THE CONTROL OF DENVER HEALTH AND HOSPITAL AUTHORITY SHALL:

(I) MAINTAIN ADEQUATE FINANCIALS TO ENSURE PROPER SOLVENCY AS A RISK MANAGER;

(II) ACCEPT RATES DETERMINED BY THE STATE DEPARTMENT, THROUGH STANDARD METHODOLOGIES, TO COVER THE POPULATION IT IS SERVING;

(III) MAINTAIN SERVICE AND QUALITY METRICS, AS DETERMINED BY THE STATE

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

DEPARTMENT; AND

(IV) MEET STATEWIDE MANAGED CARE SYSTEM STANDARDS AND OPERATE AS PART OF THE OVERALL MANAGED CARE SYSTEM.

**SECTION 2. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 31, 2019