

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 20-0760.01 Jerry Barry x4341

**SENATE BILL 20-171**

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**SENATE SPONSORSHIP**

**Winter and Smallwood,**

**HOUSE SPONSORSHIP**

**Soper and Buckner,**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING RULES UNDER THE CHILDREN'S HABILITATION**  
102 **RESIDENTIAL PROGRAM.**

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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>.)*

Under the children's habilitation residential program, the bill authorizes the state board of medical services to adopt rules to implement changes proposed in a waiver amendment or renewal submitted to the federal department of health and human services so long as the rules are not effective until the effective date of the approval of the waiver amendment or renewal.

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.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 25.5-6-903, **amend**  
3 (3) as follows:

4           **25.5-6-903. Residential child health care program - waiver -**  
5 **home- and community-based services - rules.** (3) The state board shall  
6 promulgate rules as necessary for the implementation and administration  
7 of the program, including but not limited to rules regarding program  
8 services; eligibility criteria, including financial eligibility criteria; and  
9 reimbursement of providers. THE RULES PROMULGATED PURSUANT TO  
10 THIS SUBSECTION (3) MAY INCLUDE RULES THAT WOULD BE NECESSARY IF  
11 A SUBMITTED WAIVER AMENDMENT OR RENEWAL IS APPROVED BY THE  
12 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES, BUT SUCH  
13 RULES ARE NOT EFFECTIVE UNTIL THE EFFECTIVE DATE OF THE APPROVED  
14 AMENDED OR RENEWED WAIVER.

15           **SECTION 2. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part will not take effect  
22 unless approved by the people at the general election to be held in  
23 November 2020 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.