

CHAPTER 4

HEALTH CARE POLICY AND FINANCING

SENATE BILL 23-138

BY SENATOR(S) Zenzinger and Kirkmeyer, Bridges, Buckner, Cutter, Exum, Ginal, Marchman, Mullica, Priola;
also REPRESENTATIVE(S) Bird and Sirota, Bockenfeld, Bacon, Brown, deGruy Kennedy, Epps, Froelich, Gonzales-Gutierrez,
Herod, Jodeh, Joseph, Lieder, Lindsay, McLachlan, Michaelson Jenet, Ortiz, Snyder, Story, Valdez, Weinberg, Woodrow,
McCluskie.

AN ACT

**CONCERNING AUTHORIZING THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO
DISTRIBUTE MONEY TO THE DENVER HEALTH AND HOSPITAL AUTHORITY, AND, IN CONNECTION
THEREWITH, MAKING AN APPROPRIATION.**

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Denver health and hospital authority (Denver Health) is the largest safety net provider in the state, providing services to patients from 63 counties, and is experiencing significant financial hardship;

(b) Denver Health's financial duress is due to a lower-than-expected volume of services covered by commercial insurance, which typically pays higher rates than medicaid, and increasing payroll costs necessary to remain competitive with other providers and retain and recruit staff;

(c) As a safety net hospital on the front line of providing health-care services for the uninsured and underserved, it is important for the health of Coloradans that Denver Health is financially sustainable and able to remain a valuable health-care resource; and

(d) The COVID-19 pandemic has had a disproportionate impact on Denver Health because Denver Health operates on a very thin margin compared to other Colorado hospitals and has a low reserve of cash on hand of less than 100 days of operating revenue.

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.

(2) Therefore, the general assembly declares that it is important to provide authority to the department of health care policy and financing to help Denver Health remain financially stable.

SECTION 2. In Colorado Revised Statutes, **add** 25.5-4-427 as follows:

25.5-4-427. Supplemental state payment to the Denver health and hospital authority - repeal. (1) THE STATE DEPARTMENT SHALL DISTRIBUTE MONEY APPROPRIATED FOR A SUPPLEMENTAL PAYMENT TO THE DENVER HEALTH AND HOSPITAL AUTHORITY CREATED IN SECTION 25-29-103.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

SECTION 3. Appropriation. For the 2022-23 state fiscal year, \$5,000,000 is appropriated to the department of health care policy and financing for use for other medical services. This appropriation is from the general fund. To implement this act, the department may use this appropriation for payments to Denver health and hospital authority.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: March 3, 2023