

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0729.01 Shelby Ross x4510

HOUSE BILL 24-1229

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Health & Human Services

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A BILL FOR AN ACT

101 **CONCERNING PRESUMPTIVE ELIGIBILITY FOR PERSONS IN NEED OF**
102 **LONG-TERM SERVICES AND SUPPORTS.**

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>.)

Beginning January 1, 2026, the bill removes the requirement that the department of health care policy and financing (department) fully assess a person in need of long-term services and supports for the appropriate level of care before the person is presumed eligible for the medical assistance program.

The bill authorizes the department to make any necessary changes

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

SENATE
3rd Reading Unamended
April 17, 2024

SENATE
2nd Reading Unamended
April 16, 2024

HOUSE
3rd Reading Unamended
March 18, 2024

HOUSE
2nd Reading Unamended
March 15, 2024

to any other federal authorizations that are authorized by the federal centers for medicare and medicaid services in order to implement the presumptive eligibility requirements for persons in need of long-term services and supports.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-5-204, **amend**
3 **(2.7)(c); and amend as it will become effective July 1, 2024, (2.7)(b)** as
4 follows:

5 **25.5-5-204. Presumptive eligibility - pregnant person -**
6 **children - long-term care - state plan.** (2.7) (b) If the state department
7 receives federal authorization pursuant to subsection (2.7)(a) of this
8 section and sufficient spending authority, a person in need of long-term
9 services and supports shall be presumptively eligible for the medical
10 assistance program if the person or the person's legal representative
11 declares all pertinent information relating to the criteria of income, assets,
12 ~~and immigration status, The person shall be assessed for the appropriate~~
13 ~~level of care pursuant to section 25.5-6-1704~~ AND ANY OTHER
14 INFORMATION THAT MAY BE REQUIRED PURSUANT TO THE FEDERAL
15 AUTHORIZATION. If required due to limitations of federal authorization or
16 spending authority, the state department may implement this subsection
17 (2.7)(b) as a pilot program rather than statewide.

18 (c) The state department shall make any necessary changes to the
19 state plan ~~and~~ waivers for home- and community-based service programs
20 AND ANY OTHER FEDERAL AUTHORIZATIONS THAT ARE authorized
21 pursuant to this ~~article~~ ARTICLE 5 and articles 4 and 6 of this ~~title~~ TITLE
22 25.5 to comply with this subsection (2.7).

23 **SECTION 2. Act subject to petition - effective date.** Section

1 25.5-5-204 (2.7)(b), Colorado Revised Statutes, as amended in section 1
2 of this act takes effect January 1, 2026, and the remainder of the act takes
3 effect at 12:01 a.m. on the day following the expiration of the ninety-day
4 period after final adjournment of the general assembly; except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2024 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor; except that
11 section 25.5-5-204 (2.7)(b), Colorado Revised Statutes, as amended in
12 section 1 of this act takes effect January 1, 2026.