

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REDRAFT

5.18.21

Double underlining
denotes changes from
prior draft

DRAFT

LLS NO. 21-1010.01 Brita Darling x2241

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Distrib Federal Funds Home- & Community-based Svcs"

A BILL FOR AN ACT

101 **CONCERNING THE DISTRIBUTION OF MONEY RECEIVED UNDER THE**
102 **FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021" FOR HOME-**
103 **AND COMMUNITY-BASED SERVICES, AND, IN CONNECTION**
104 **THEREWITH, MAKING AND REDUCING AN APPROPRIATION.**

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/>.)

Joint Budget Committee. The bill directs the department of health care policy and financing (department) to develop a spending plan

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

(spending plan) for using enhanced, one-time federal matching money received pursuant to the "American Rescue Plan Act of 2021" (federal act) to enhance, expand, and strengthen Medicaid-eligible home- and community-based services for older adults and people with disabilities.

The department shall develop _____ a proposed spending plan considering feedback from providers, medical assistance recipients, and advocates consistent with federal guidance on allowable uses of the federal act funding. Money from the federal act may be used for home- and community-based services, as defined in the federal act, including home health services, personal care services, PACE services, waiver services, case management services, and rehabilitative services. The department must develop the spending plan in accordance with federal act guidance. The bill specifies possible components of the spending plan.

As soon as practicable after federal guidance is received, the department shall submit the proposed spending plan to the joint budget committee of the general assembly for approval. The joint budget committee may reject or approve the spending plan and may make recommendations for modifications to the spending plan. If the spending plan is rejected, the department shall submit a new spending plan as soon as possible. The department shall not implement the spending plan unless the spending plan is approved by the joint budget committee.

The bill transfers \$225,735,015 from the general fund to a cash fund created in the bill. The money in the cash fund is appropriated to the state department for the fiscal year commencing on July 1, 2021, for expenditures identified in the spending plan approved by the joint budget committee; except that the spending authority expires if a supplemental appropriation bill is enacted. During the next legislative session, the joint budget committee shall introduce a supplemental appropriation bill for the amount of the expenditures authorized. For fiscal years commencing on and after July 1, 2021, the general assembly may also appropriate money from the fund for purposes authorized under the federal act. Money in the fund may be used for the department's reasonable and necessary administrative expenses.

The bill requires the department to submit expenditure reports with additional information specified in the bill concerning the use of the money received pursuant to the federal act.

The bill repeals the statutory provisions in 2025.

The bill appropriates money to the department to administer the appropriations and adjusts the 2020 and 2021 long bill appropriations to reflect federal funding not already accounted for in the long bills.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 18 to article

1 6 to title 25.5 as follows:

2 **PART 18**
3 **COLORADO MEDICAL ASSISTANCE PROGRAM**
4 **REQUIREMENTS FOR DISBURSEMENT OF**
5 **FEDERAL FUNDS UNDER THE**
6 **FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021"**

7 **25.5-6-1801. Legislative declaration.** (1) (a) THE GENERAL
8 ASSEMBLY FINDS AND DECLARES THAT COLORADO HAS A LONG-STANDING
9 COMMITMENT TO SERVING OLDER ADULTS AND PEOPLE WITH DISABILITIES
10 THROUGH HOME- AND COMMUNITY-BASED SERVICES THAT ENABLE THEM
11 TO STAY IN THEIR HOMES IN THEIR COMMUNITIES.

12

13 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
14 COLORADO IS COMMITTED TO MAXIMIZING THE IMPACT OF THE ONE-TIME,
15 TEN-PERCENTAGE-POINT INCREASE IN THE FEDERAL MATCHING RATE FOR
16 MEDICAID HOME- AND COMMUNITY-BASED SERVICES, AS OUTLINED IN
17 SECTION 9817 OF THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021",
18 TO IMPLEMENT OR SUPPLEMENT THE IMPLEMENTATION OF ONE OR MORE
19 ACTIVITIES TO ENHANCE, EXPAND, AND STRENGTHEN MEDICAID-FUNDED
20 HOME- AND COMMUNITY-BASED SERVICES.

21 **25.5-6-1802. Definitions.** AS USED IN THIS PART 18, UNLESS THE
22 CONTEXT OTHERWISE REQUIRES:

23 (1) "AMERICAN RESCUE PLAN ACT" MEANS THE FEDERAL
24 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS AMENDED.

25 (2) "HOME- AND COMMUNITY-BASED SERVICES" MEANS ANY OF
26 THE FOLLOWING:

27 (a) HOME HEALTH-CARE SERVICES AUTHORIZED PURSUANT TO

1 PARAGRAPH (7) OF SECTION 1905(a) OF THE "SOCIAL SECURITY ACT", 42
2 U.S.C. 1396d(a);

3 (b) PERSONAL CARE SERVICES AUTHORIZED PURSUANT TO
4 PARAGRAPH (24) OF SECTION 1905(a) OF THE "SOCIAL SECURITY ACT", 42
5 U.S.C. 1396d(a);

6 (c) PACE SERVICES AUTHORIZED PURSUANT TO PARAGRAPH (26)
7 OF SECTION 1905(a) OF THE "SOCIAL SECURITY ACT", 42 U.S.C. 1396d(a);

8 (d) HOME- AND COMMUNITY-BASED SERVICES AUTHORIZED
9 PURSUANT TO SUBSECTIONS (b), (c), (i), (j), AND (k) OF SECTION 1915 OF
10 THE "SOCIAL SECURITY ACT", 42 U.S.C. 1396n; SERVICES AUTHORIZED
11 PURSUANT TO A WAIVER UNDER SECTION 1115 OF THE "SOCIAL SECURITY
12 ACT", 42 U.S.C. 1315; AND SERVICES THROUGH COVERAGE AUTHORIZED
13 UNDER SECTION 1937 OF THE "SOCIAL SECURITY ACT", 42 U.S.C.
14 1396u-7;

15 (e) CASE MANAGEMENT SERVICES AUTHORIZED UNDER SECTION
16 1905(a)(19) OF THE "SOCIAL SECURITY ACT", 42 U.S.C. 1396d(a)(19),
17 AND SECTION 1915(g) OF THE "SOCIAL SECURITY ACT", 42 U.S.C.
18 1396n(g);

19 (f) REHABILITATIVE SERVICES, INCLUDING THOSE RELATED TO
20 BEHAVIORAL HEALTH, DESCRIBED IN SECTION 1905(a)(13) OF THE "SOCIAL
21 SECURITY ACT", 42 U.S.C. 1396d(a)(13); AND

22 (g) SUCH OTHER SERVICES SPECIFIED BY THE UNITED STATES
23 SECRETARY OF HEALTH AND HUMAN SERVICES.

24 (3) "SOCIAL SECURITY ACT" MEANS THE FEDERAL "SOCIAL
25 SECURITY ACT", AS AMENDED.

26 **25.5-6-1803. Development of spending plan.** (1) IN
27 ACCORDANCE WITH FEDERAL GUIDANCE ISSUED BY THE FEDERAL CENTERS

1 FOR MEDICARE AND MEDICAID SERVICES REGARDING THE
2 IMPLEMENTATION OF SECTION 9817 OF THE "AMERICAN RESCUE PLAN
3 ACT ", THE STATE DEPARTMENT SHALL DEVELOP A PROPOSED SPENDING
4 PLAN USING THE ENHANCED FUNDING, WHICH PLAN MAY INCLUDE BUT IS
5 NOT LIMITED TO THE FOLLOWING COMPONENTS:

6 (a) CONSIDERATION OF METHODS TO MAXIMIZE FEDERAL
7 FINANCIAL PARTICIPATION;

8 (b) INCORPORATION OF FEEDBACK FROM MEDICAL ASSISTANCE
9 RECIPIENTS, ADVOCATES, AND PROVIDERS FOR THE SERVICES FOR WHICH
10 THE "AMERICAN RESCUE PLAN ACT" PROVIDES ADDITIONAL FEDERAL
11 FINANCIAL PARTICIPATION;

12 (c) EXPEDITION OF THE RESPONSE AND RECOVERY FOR MEDICAL
13 ASSISTANCE RECIPIENTS, PROVIDERS, AND OTHER RELEVANT
14 ORGANIZATIONS MOST SIGNIFICANTLY IMPACTED BY THE COVID-19
15 PANDEMIC. RESPONSE AND RECOVERY EFFORTS MAY INCLUDE BUT ARE
16 NOT LIMITED TO:

17 (I) ONE-TIME PROVIDER RATE INCREASES TO SUPPORT
18 ORGANIZATIONS AND THE DIRECT-CARE WORKERS IMPACTED BY
19 COVID-19;

20 (II) ONE-TIME PAYMENTS TO SUPPORT INFECTION CONTROL; AND

21 (III) TRIBAL GRANTS TO INCREASE ACCESS TO AND USE OF HOME-
22 AND COMMUNITY-BASED SERVICES ON TRIBAL LANDS;

23 (d) ADVANCEMENT AND ACCELERATION OF EXISTING AND NEWLY
24 IDENTIFIED SYSTEM REFORM EFFORTS. ADVANCEMENT AND
25 ACCELERATION EFFORTS MAY INCLUDE BUT ARE NOT LIMITED TO:

26 (I) SUPPORT FOR LOCAL ORGANIZATIONS AND STAKEHOLDERS TO
27 PLAN AND PREPARE FOR THE IMPLEMENTATION OF CASE MANAGEMENT

1 REDESIGN EFFORTS;

2 (II) ANALYSIS AND DEVELOPMENT OF RECOMMENDATIONS TO

3 BETTER STABILIZE EXISTING RURAL PROVIDERS AND TO EXPAND PROVIDER

4 ACCESS IN RURAL COMMUNITIES;

5 (III) ANALYSIS AND DEVELOPMENT OF RECOMMENDATIONS FOR

6 NEW MODELS OF CARE FOR INVESTMENT AND INNOVATION;

7 (IV) DEVELOPMENT OF PAY FOR PERFORMANCE PROGRAMS;

8 (V) IMPROVEMENT OF PROVIDER CERTIFICATION OVERSIGHT;

9 (VI) DEVELOPMENT OF ACUITY TOOLS FOR LONG-TERM HOME

10 HEALTH;

11 (VII) DEVELOPMENT OF TRAINING TO ALIGN WITH 988 MOBILE

12 DISPATCH;

13 (VIII) ANALYSIS AND DEVELOPMENT OF RECOMMENDATIONS FOR

14 IMPLEMENTING BEHAVIORAL HEALTH PEER SUPPORTS FOR DAY SERVICES

15 SERVING PEOPLE EXPERIENCING HOMELESSNESS;

16 (IX) DEVELOPMENT OF TRANSITION SUPPORT SERVICES FOR

17 PEOPLE WITH COMPLEX BEHAVIORAL NEEDS;

18 (X) PROVIDER CAPACITY-BUILDING TO SERVE PEOPLE WITH

19 HIGH-INTENSITY NEEDS;

20 (XI) DEVELOPMENT OF PROVIDER CULTURAL AND DISABILITY

21 COMPETENCY TRAINING; AND

22 (XII) HOME- AND COMMUNITY-BASED SERVICES THROUGH THE

23 COMMUNITY FIRST CHOICE OPTION, SECTION 1915(k) OF THE "SOCIAL

24 SECURITY ACT", 42 U.S.C. 1396n;_____

25 (e) INVESTMENT IN INFRASTRUCTURE AND TECHNOLOGY

26 INNOVATION THAT HAS A LONG-TERM BENEFIT TO THE SYSTEM AND THE

27 PEOPLE OF COLORADO, INCLUDING INTEGRATION WITH OTHER STATEWIDE

1 AND LOCAL EFFORTS. INVESTMENTS MAY INCLUDE BUT ARE NOT LIMITED
2 TO:

3 (I) COMPREHENSIVE TRAINING FOR CASE MANAGERS AND
4 PROVIDERS;

5 (II) SYSTEM ENHANCEMENTS TO SUPPORT STREAMLINED
6 ELIGIBILITY;

7 (III) MEMBER AND FAMILY MATERIAL ON CASE MANAGEMENT,
8 CARE COORDINATION, AND HOME- AND COMMUNITY-BASED SERVICES;

9 (IV) EXPANDING RECIPIENT ACCESS TO TECHNOLOGY AND
10 TECHNOLOGY LITERACY TRAINING;

11 (V) CAPITAL FUNDING FOR IT INFRASTRUCTURE TO PURCHASE
12 DEVICES TO SUPPORT THE IMPLEMENTATION OF THE CARE AND CASE
13 MANAGEMENT TOOL; AND

14 (VI) TELEMEDICINE AND TELEHEALTH ONE-TIME PAYMENTS TO
15 SUPPORT EQUIPMENT FOR SERVICE DELIVERY; AND

16 (f) DEVELOPMENT AND STABILIZATION OF THE DIRECT-CARE
17 WORKFORCE. EFFORTS MAY INCLUDE BUT ARE NOT LIMITED TO:

18 (I) THE ANALYSIS OF NATIONWIDE EFFORTS TO STRENGTHEN THE
19 DIRECT-CARE WORKFORCE;

20 (II) DEVELOPMENT OF A STRATEGIC PLAN TO STABILIZE THE
21 DIRECT-CARE WORKFORCE, INCLUDING PLANS FOR RURAL SUSTAINABILITY;

22 (III) CONSIDERATION OF DIRECT-CARE WORKER WAGE
23 SUSTAINABILITY THROUGH INCREASED RATES AND POTENTIAL WAGE
24 PASS-THROUGH PROGRAMS;

25 (IV) DEVELOPMENT OF TRAINING PROGRAMS FOCUSING ON
26 ADDITIONAL CAREER PATHWAYS; AND

27 (V) CREATION OF STRUCTURE AROUND RECRUITMENT, RETENTION,

1 AND PUBLIC AWARENESS OF DIRECT-CARE WORK.

2 (2) THE STATE DEPARTMENT SHALL CONTINUE TO ENGAGE
3 STAKEHOLDERS FOR INPUT CONCERNING PRIORITIZATION OF THE USE OF
4 THE ENHANCED FUNDING FROM THE "AMERICAN RESCUE PLAN ACT".

5 **25.5-6-1804. Spending plan - approval by joint budget**
6 **committee - reporting.** (1) (a) AS SOON AS PRACTICABLE AFTER
7 RECEIVING FEDERAL GUIDANCE, THE STATE DEPARTMENT SHALL SUBMIT
8 A PROPOSED SPENDING PLAN FOR EXPENDITURES PURSUANT TO THIS PART
9 18 TO THE JOINT BUDGET COMMITTEE FOR THE COMMITTEE'S REJECTION OR
10 APPROVAL. IF A PROPOSED SPENDING PLAN IS REJECTED, THE STATE
11 DEPARTMENT SHALL RESUBMIT A NEW PLAN AS SOON AS POSSIBLE. THE
12 JOINT BUDGET COMMITTEE MAY MAKE RECOMMENDATIONS FOR
13 MODIFICATIONS TO THE PLAN. THE STATE DEPARTMENT SHALL NOT
14 IMPLEMENT THE SPENDING PLAN UNLESS THE JOINT BUDGET COMMITTEE
15 APPROVES THE SPENDING PLAN.

16 (b) THE STATE DEPARTMENT SHALL IDENTIFY IN THE PLAN THE
17 DATA, RESEARCH, AND EVIDENCE USED TO DETERMINE THE SPENDING PLAN
18 IN A MANNER CONSISTENT WITH THE INSTRUCTIONS PUBLISHED BY THE
19 OFFICE OF STATE PLANNING AND BUDGETING PURSUANT TO SECTION
20 24-37-302 (1)(a).

21 (c) THE SPENDING PLAN MUST INCORPORATE ANY AVAILABLE
22 FEDERAL FUNDS.

23 (d) THE STATE DEPARTMENT SHALL NOT INCLUDE PROVISIONS IN
24 THE SPENDING PLAN OR IMPLEMENT PROVISIONS OF THE SPENDING PLAN
25 THAT ARE NOT ELIGIBLE FOR FUNDING PURSUANT TO FEDERAL GUIDANCE
26 RELATING TO THE "AMERICAN RESCUE PLAN ACT".

27 (2) COMMENCING NOVEMBER 1, 2021, AND OCCURRING

1 QUARTERLY THEREAFTER, THE STATE DEPARTMENT SHALL REPORT TO THE
2 JOINT BUDGET COMMITTEE CONCERNING THE STATUS OF EXPENDITURES
3 PURSUANT TO THIS PART 18.

4 (3) THE REPORTS MUST INCLUDE:

5 (a) THE SCOPE, INTENDED IMPACT, AND AMOUNT OF MONEY
6 DISBURSED FROM THE MONEY RECEIVED PURSUANT TO THE "AMERICAN
7 RESCUE PLAN ACT";

8 (b) A DESCRIPTION OF HOW THE STATE DEPARTMENT
9 INCORPORATED STAKEHOLDER FEEDBACK INTO PLANS FOR THE
10 DISBURSEMENT OF MONEY; AND

11 (c) AN UPDATE AS TO THE TOTAL AMOUNT OF MONEY DISBURSED
12 FROM THE MONEY RECEIVED PURSUANT TO THE "AMERICAN RESCUE PLAN
13 ACT", THE REMAINING AMOUNT OF MONEY, AND THE PROJECTED AMOUNT
14 OF ANTICIPATED FEDERAL FINANCIAL PARTICIPATION.

15 **25.5-6-1805. Home- and community-based services**
16 **improvement fund - creation - transfer - expenditures.** (1) THE HOME-
17 AND COMMUNITY-BASED SERVICES IMPROVEMENT FUND, REFERRED TO IN
18 THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE
19 FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND PURSUANT TO
20 SUBSECTION (2) OF THIS SECTION.

21 (2) (a) ON THE EFFECTIVE DATE OF THIS PART 18, THE STATE
22 TREASURER SHALL TRANSFER TWO HUNDRED TWENTY-FIVE MILLION SEVEN
23 HUNDRED THIRTY-FIVE THOUSAND FIFTEEN DOLLARS FROM THE GENERAL
24 FUND TO THE FUND.

25 (b) (I) IF THE GENERAL FUND SAVINGS DUE TO THE ENHANCED
26 FEDERAL MATCH UNDER SECTION 9817 OF THE "AMERICAN RESCUE PLAN
27 ACT" IS GREATER THAN THE AMOUNT TRANSFERRED TO THE FUND UNDER

1 SUBSECTION (2)(a) OF THIS SECTION, THEN THE STATE DEPARTMENT SHALL
2 NOTIFY THE STATE TREASURER OF THE AMOUNT BY WHICH THE SAVINGS
3 EXCEEDED THE TRANSFER. THE STATE TREASURER SHALL TRANSFER THIS
4 AMOUNT OF MONEY FROM THE GENERAL FUND TO THE FUND.

5 (II) IF THE GENERAL FUND SAVINGS DUE TO THE ENHANCED
6 FEDERAL MATCH UNDER SECTION 9817 OF THE "AMERICAN RESCUE PLAN
7 ACT" IS LESS THAN THE AMOUNT TRANSFERRED TO THE FUND UNDER
8 SUBSECTION (2)(a) OF THIS SECTION, THEN THE STATE DEPARTMENT SHALL
9 NOTIFY THE STATE TREASURER OF THE AMOUNT BY WHICH THE TRANSFER
10 EXCEEDS THE SAVINGS. THE STATE TREASURER SHALL TRANSFER THIS
11 AMOUNT OF MONEY FROM TO THE FUND TO THE GENERAL FUND.

12 (3) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
13 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
14 FUND TO THE FUND.

15 (4) (a) MONEY IN THE FUND IS APPROPRIATED TO THE STATE
16 DEPARTMENT FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2021, FOR
17 THE EXPENDITURES IDENTIFIED IN THE SPENDING PLAN APPROVED BY THE
18 JOINT BUDGET COMMITTEE PURSUANT TO SECTION 25.5-6-1804; EXCEPT
19 THAT THE SPENDING AUTHORITY CONFERRED BY THIS SUBSECTION (4)(a)
20 EXPIRES IF A SUPPLEMENTAL APPROPRIATION BILL THAT APPROPRIATES
21 MONEY FROM THE FUND TO THE STATE DEPARTMENT IS ENACTED.

22 (b) DURING THE NEXT LEGISLATIVE SESSION, THE JOINT BUDGET
23 COMMITTEE SHALL INTRODUCE A SUPPLEMENTAL APPROPRIATION BILL
24 WITH THE SPECIFIC EXPENDITURES AUTHORIZED UNDER SUBSECTION (4)(a)
25 OF THIS SECTION

26 (5) FOR FISCAL YEARS COMMENCING ON AND AFTER JULY 1, 2021,
27 MONEY IN THE FUND IS SUBJECT TO ANNUAL APPROPRIATION TO ENHANCE,

1 EXPAND, AND STRENGTHEN MEDICAID HOME- AND COMMUNITY-BASED
2 SERVICES PURSUANT TO SECTION 9817 OF THE "AMERICAN RESCUE PLAN
3 ACT".

4 (6) THE STATE DEPARTMENT MAY USE THE MONEY IN THE FUND
5 FOR REASONABLE AND NECESSARY ADMINISTRATIVE COSTS ASSOCIATED
6 WITH IMPLEMENTING THIS PART 18.

7 **25.5-6-1806. Repeal of part. THIS PART 18 IS REPEALED,**
8 **EFFECTIVE JULY 1, 2025.**

9 **SECTION 2. Appropriation.** (1) For the 2021-22 state fiscal
10 year, \$432,656 is appropriated to the department of health care policy and
11 financing for use by the executive director's office. This appropriation is
12 from the general fund. To implement this act, the office may use this
13 appropriation as follows:

14 (a) \$245,456 for personal services, which amount is based on an
15 assumption that the office will require an additional 4.6 FTE; and

16 (b) \$187,200 for general professional services and special
17 projects.

18 (2) For the 2021-22 state fiscal year, the general assembly
19 anticipates that the department of health care policy and financing will
20 receive \$432,656 in federal funds to implement this act, which amount is
21 subject to the "(I)" notation as defined in the annual general appropriation
22 act for the same fiscal year. The appropriation in subsection (1) of this
23 section is based on the assumption that the department will receive this
24 amount of federal funds to be used as follows:

25 (a) \$245,456 for personal services; and

26 (b) \$187,200 for general professional services and special
27 projects.

1 **SECTION 3. Appropriation - adjustments to 2021 long bill.**

2 (1) To implement this act, appropriations made in the annual general
3 appropriation act for the 2021-22 state fiscal year to the department of
4 health care policy and financing are adjusted as follows:

5 (a) The general fund appropriation for behavioral health capitation
6 payments is decreased by \$26,708,125; and

7 (b) The cash funds appropriation for behavioral health capitation
8 payments is decreased by \$15,336,964 from the healthcare affordability
9 and sustainability fee cash fund created in section 25.5-4-402.4 (5)(a),
10 C.R.S.

11 (2) The decrease of the appropriations in subsection (1) of this
12 section is based on the assumption that the anticipated amount of federal
13 funds received for the 2021-22 state fiscal year by the department of
14 health care policy and financing for behavioral health capitation payments
15 will increase by \$42,045,089.

APPROPRIATION FROM

REAPPROPRIATED FUNDS
 2020
 Document Attachments from

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

SECTION 4. Appropriation to the department of health care policy and financing for the fiscal year beginning July 1, 2020. In Session Laws of Colorado 2020, section 2 of chapter 326, (HB 20-1360), **amend** Part V (3) and the affected totals, as Part V (3) and the affected totals are amended by section 1 of SB 21-043, and as Part V (3) and the affected totals are amended by section 10 of SB 21-205, as follows:

Section 2. **Appropriation.**

PART V

DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

(3) BEHAVIORAL HEALTH COMMUNITY PROGRAMS

Behavioral Health

Capitation Payments	869,040,805		200,356,948(M)		57,065,690 ^r		611,618,167
			192,069,989(M)		52,571,736 ^a		624,399,080
Behavioral Health							
Fee-for-service Payments	13,863,346		2,486,792(M)		938,389 ^a		10,438,165
		882,904,151					

REAPPROPRIATION FROM
 CASH FUNDS
 REAPPROPRIATED FUNDS
 FEDERAL FUNDS

REAPPROPRIATION FROM
 CASH FUNDS
 REAPPROPRIATED FUNDS
 FEDERAL FUNDS

Do not include appropriations from

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

^a Of these amounts, ~~\$57,979,954~~ \$53,486,000 shall be from the Healthcare Affordability and Sustainability Fee Cash Fund created in Section 25.5-4-402.4 (5)(a), C.R.S. and \$24,125 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 25.5-5-308 (8)(a)(I), C.R.S.

**TOTALS PART V
 (HEALTH CARE
 POLICY AND
 FINANCING)²⁶**

	\$12,088,752,076	\$2,372,406,722	\$635,500,848 ^a	\$1,471,612,899 ^b	\$48,038,427	\$7,561,193,180 ^c
		\$2,364,119,763		\$1,467,118,945 ^b		\$7,573,974,093 ^c

^a Of this amount, \$635,104,923 shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S., and \$395,925 shall be General Fund Exempt pursuant to Section 24-22-117 (1)(c)(I)(B), C.R.S. Said \$395,925 is not subject to the statutory limitation on General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

^b Of this amount, \$16,268,874 contains an (I) notation.

^c Of this amount, \$329,118,399 contains an (I) notation.

1 **SECTION 5. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.