

CHAPTER 257

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 01-1282

BY REPRESENTATIVE(S) Tapia, Alexander, Chavez, Coleman, Grossman, Hefley, Jahn, Lawrence, Madden, Saliman, Sanchez, Sinclair, Veiga, Vigil, Bacon, Boyd, Clapp, Cloer, Daniel, Fairbank, Fritz, Garcia, Groff, Hodge, Jameson, Larson, Mace, Marshall, Miller, Plant, Romanoff, Stafford, Tochtrop, Weddig, and Williams S.;
also SENATOR(S) Owen, Chlouber, Dyer (Durango), Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Nichol, Phillips, Reeves, Tate, Taylor, Teck, Thiebaut, Tupa, and Windels.

AN ACT

CONCERNING THE PROVISION OF DENTAL HYGIENE SERVICES FOR CHILDREN IN THE MEDICAID PROGRAM,
AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. Part 4 of article 4 of title 26, Colorado Revised Statutes, is amended
BY THE ADDITION OF A NEW SECTION to read:

26-4-414.3. Authorization of services provided by dental hygienists.

(1) WHEN DENTAL HYGIENE SERVICES ARE PROVIDED TO CHILDREN BY A LICENSED DENTAL HYGIENIST WHO IS PROVIDING DENTAL HYGIENE SERVICES PURSUANT TO SECTION 12-35-122.5, C.R.S., WITHOUT THE SUPERVISION OF A LICENSED DENTIST, THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT SHALL AUTHORIZE REIMBURSEMENT FOR SAID SERVICES, SUBJECT TO THE REQUIREMENTS OF THIS SECTION. PAYMENT FOR SUCH SERVICES SHALL BE MADE DIRECTLY TO THE LICENSED DENTAL HYGIENIST, IF REQUESTED BY THE LICENSED DENTAL HYGIENIST; EXCEPT THAT THIS SECTION SHALL NOT APPLY TO LICENSED DENTAL HYGIENISTS WHEN ACTING WITHIN THE SCOPE OF THEIR EMPLOYMENT AS SALARIED EMPLOYEES OF PUBLIC OR PRIVATE INSTITUTIONS, PHYSICIANS, OR DENTISTS.

(2) FOR EACH CHILD PROVIDED DENTAL HYGIENE SERVICES PURSUANT TO THIS SECTION, THE DENTAL HYGIENIST SHALL ATTEMPT TO IDENTIFY A DENTIST PARTICIPATING IN MEDICAID FOR THE CHILD.

SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

appropriated, to the department of health care policy and financing, medical programs administration, for the fiscal year beginning July 1, 2001, the sum of six thousand eight hundred forty-six dollars (\$6,846), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be for costs associated with the medicaid management information system and shall be subject to the "(M)" notation as defined in the annual general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2001, the department of health care policy and financing will receive the sum of twenty thousand five hundred thirty-seven dollars (\$20,537) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of health care policy and financing, medical services premiums, for the fiscal year beginning July 1, 2001, the sum of one hundred thirty-nine thousand two hundred seventy-one dollars (\$139,271), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be subject to the "(M)" notation as defined in the general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2001, the department of health care policy and financing will receive the sum of one hundred thirty-nine thousand two hundred seventy-one dollars (\$139,271) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.

(3) It is the intent of the general assembly that the general fund appropriation for the implementation of this act shall be derived from savings generated from the implementation of the provisions of HB 01-1343, as enacted during the first regular session of the sixty-third general assembly.

SECTION 3. Effective date. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) Notwithstanding the provisions of subsection (1) of this section, this act shall only take effect if:

(a) The final fiscal estimate for HB 01-1343, as reflected in the appropriations clause for said act, shows a net General Fund savings that is equal to or greater than the final General Fund fiscal estimate for this act, as reflected in section 2 of this act; and

(b) HB 01-1343 is enacted at the first regular session of the sixty-third general assembly and becomes law.

Approved: June 4, 2001