

CHAPTER 152

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 04-1264

BY REPRESENTATIVE(S) Young, Plant, Witwer, McFadyen, Rippy, and Coleman;
also SENATOR(S) Teck, Owen, and Reeves.

AN ACT

CONCERNING BILLING CYCLES FOR PAYMENTS TO PROVIDERS UNDER THE "COLORADO MEDICAL ASSISTANCE ACT".

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

SECTION 1. 26-4-404 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

26-4-404. Providers - payments - rules. (1) (c) THE STATE DEPARTMENT SHALL EXERCISE ITS OVER EXPENDITURE AUTHORITY UNDER SECTION 24-75-109, C.R.S., AND SHALL NOT INTENTIONALLY INTERRUPT THE NORMAL PROVIDER PAYMENT SCHEDULE UNLESS NOTIFIED JOINTLY BY THE DIRECTOR OF THE OFFICE OF STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER THAT THERE IS THE POSSIBILITY THAT ADEQUATE CASH WILL NOT BE AVAILABLE TO MAKE PAYMENTS TO PROVIDERS AND FOR OTHER STATE EXPENSES. IF IT IS DETERMINED THAT ADEQUATE CASH IS NOT AVAILABLE AND THE STATE DEPARTMENT DOES INTERRUPT THE NORMAL PAYMENT CYCLE, THE STATE DEPARTMENT SHALL NOTIFY THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY AND ANY AFFECTED PROVIDERS IN WRITING OF ITS DECISION TO INTERRUPT THE NORMAL PAYMENT SCHEDULE. NOTHING IN THIS PARAGRAPH (c) SHALL BE INTERPRETED TO ESTABLISH A RIGHT FOR ANY PROVIDER TO BE PAID DURING ANY SPECIFIC BILLING CYCLE.

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

Approved: April 13, 2004

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