

CHAPTER 272

HEALTH CARE POLICY AND FINANCING

SENATE BILL 04-138

BY SENATOR(S) Owen, Reeves, Teck, Arnold, Evans, Groff, Hanna, Hillman, Keller, Sandoval, Tapia, Veiga, and Windels;
also REPRESENTATIVE(S) Witwer, Plant, Young, Boyd, Coleman, Frangas, Jahn, Johnson R., McGihon, Stafford, and Williams
S.

AN ACT

CONCERNING THE REPEAL OF THE AUTHORITY OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO CHARGE A MONTHLY FEE TO FAMILIES WHOSE CHILDREN ARE ENROLLED IN A CHILDREN'S HOME- AND COMMUNITY-BASED SERVICES WAIVER PROGRAM, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. Repeal. 26-4-424, Colorado Revised Statutes, is repealed.

SECTION 2. Section 2 of chapter 205, Session Laws of Colorado 2003, as section 2 (1) (d) is amended and section 2 (1) (e) is enacted by section 4 of House Bill 04-1320 and as section 2 (1) is amended by section 10 of House Bill 04-1422, enacted at the Second Regular Session of the Sixty-fourth General Assembly, is amended to read:

Section 2. **Appropriation - adjustments to the 2003 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The appropriation to the executive director's office, for personal services, is increased by ~~thirty-eight thousand seven hundred ninety-seven dollars (\$38,797)~~ and ~~1.0 FTE~~ TWENTY-NINE THOUSAND AND NINETY-SEVEN DOLLARS (\$29,097) AND 0.7 FTE. Of said sum, ~~nineteen thousand three hundred ninety-nine dollars (\$19,399)~~ FOURTEEN THOUSAND FIVE HUNDRED FORTY-NINE DOLLARS (\$14,549) shall be from the general fund and ~~nineteen thousand three hundred ninety-eight dollars (\$19,398)~~ FOURTEEN THOUSAND FIVE HUNDRED FORTY-EIGHT DOLLARS (\$14,548) shall be from federal funds.

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

(b) The appropriation to the executive director's office, for operating expenses, is increased by ~~seven thousand five hundred fifty-five dollars (\$7,555)~~. FIVE THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS (\$5,666). Of said sum, ~~three thousand seven hundred seventy-eight dollars (\$3,778)~~ TWO THOUSAND EIGHT HUNDRED THIRTY-THREE DOLLARS (\$2,833) shall be from the general fund and ~~three thousand seven hundred seventy-seven dollars (\$3,777)~~ TWO THOUSAND EIGHT HUNDRED THIRTY-THREE DOLLARS (\$2,833) shall be from federal funds.

(c) ~~The appropriation for medical services premiums is decreased by a total of one hundred eighty-five thousand two hundred twenty-four dollars (\$185,224). Of said sum, ninety-two thousand six hundred twelve dollars (\$92,612) shall be from the general fund and ninety-two thousand six hundred twelve dollars (\$92,612) shall be from federal funds.~~

(d) ~~The cash funds appropriation for medical services premiums is increased by one hundred eighty-five thousand two hundred twenty-four dollars (\$185,224). The cash fund appropriation shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.~~

(e) ~~The appropriation to the department of human services medicaid-funded programs, services for people with disabilities-medicaid funding, services for families and children-medicaid funding, is decreased by a total of nineteen thousand and eighty dollars (\$19,080). Of said sum, nine thousand five hundred forty dollars (\$9,540) shall be from the general fund and nine thousand five hundred forty dollars (\$9,540) shall be from federal funds.~~

(f) ~~The appropriation to the department of human services medicaid-funded programs services for people with disabilities-medicaid funding, services for families and children-medicaid funding is increased by nineteen thousand eighty dollars (\$19,080) cash funds. The cash fund appropriation shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.~~

(2) ~~For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2003, to the department of personnel and administration, finance and procurement, collections services, for personal services, is increased by twenty-five thousand four hundred ninety-nine dollars (\$25,499) cash funds. The cash funds appropriation shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.~~

SECTION 3. Appropriation - adjustments in 2004 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2004, shall be adjusted as follows:

(a) The appropriation to the executive director's office, for personal services, is decreased by thirty-eight thousand seven hundred ninety-seven dollars (\$38,797) and 1.0 FTE. Of said sum, nineteen thousand three hundred ninety-nine dollars (\$19,399) shall be from the general fund and nineteen thousand three hundred ninety-eight

dollars (\$19,398) shall be from federal funds.

(b) The appropriation to the executive director's office, for operating expenses, is decreased by seven thousand five hundred fifty-five dollars (\$7,555). Of said sum, three thousand seven hundred seventy-eight dollars (\$3,778) shall be from the general fund and three thousand seven hundred seventy-seven dollars (\$3,777) shall be from federal funds.

(c) The appropriation for medical services premiums is increased by a total of seven hundred forty thousand eight hundred ninety-six dollars (\$740,896). Of said sum, three hundred seventy thousand four hundred forty-eight dollars (\$370,448) shall be from the general fund and three hundred seventy thousand four hundred forty-eight dollars (\$370,448) shall be from federal funds.

(d) The cash funds appropriation for medical services premiums is decreased by seven hundred forty thousand eight hundred ninety-six dollars (\$740,896). The cash funds shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.

(e) The appropriation to the department of human services medicaid-funded programs, services for people with disabilities-medicaid funding, services for families and children-medicaid funding, is increased by a total of seventy-six thousand three hundred twenty dollars (\$76,320). Of said sum, thirty-eight thousand one hundred sixty dollars (\$38,160) shall be from the general fund and thirty-eight thousand one hundred sixty dollars (\$38,160) shall be from federal funds.

(f) The cash funds appropriation to the department of human services medicaid-funded programs services for people with disabilities-medicaid funding, services for families and children-medicaid funding is decreased by seventy-six thousand three hundred twenty dollars (\$76,320). The cash funds shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.

(2) For the implementation of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2004, to the department of personnel and administration, finance and procurement, collections services, for personal services, is decreased by twenty-five thousand four hundred ninety-nine dollars (\$25,499) cash funds. The cash funds shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.

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, and safety.

Approved: May 21, 2004