

CHAPTER 163

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 05-1015

BY REPRESENTATIVE(S) Romanoff, Benefield, Borodkin, Boyd, Buescher, Butcher, Carroll T., Cerbo, Coleman, Frangas, Gallegos, Green, Hodge, Jahn, Madden, Marshall, McGihon, Merrifield, Paccione, Penry, Plant, Pommer, Riesberg, Solano, Stafford, Sullivan, Todd, Vigil, and Weissmann;
also SENATOR(S) Johnson, Bacon, Grossman, Hanna, Shaffer, Tapia, Tochtrop, Veiga, Williams, and Windels.

AN ACT**CONCERNING SUBSTANCE ABUSE TREATMENT UNDER THE "COLORADO MEDICAL ASSISTANCE ACT".**

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

SECTION 1. Part 5 of article 4 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-4-534. Outpatient substance abuse treatment - report of state auditor - amendment to state plan - repeal. (1) (a) ON OR BEFORE JANUARY 1, 2006, THE STATE DEPARTMENT SHALL AMEND THE STATE PLAN OF MEDICAL ASSISTANCE TO REFLECT THE ADDITION OF THIS SECTION AND SECTION 26-4-302 (1) (u).

(b) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE JULY 1, 2006.

(2) (a) ON OR BEFORE JANUARY 1, 2011, THE STATE AUDITOR SHALL SUBMIT A REPORT TO THE LEGISLATIVE AUDIT COMMITTEE ANALYZING THE COSTS AND SAVINGS TO THE MEDICAL ASSISTANCE PROGRAM OF PROVIDING OUTPATIENT SUBSTANCE ABUSE TREATMENT.

(b) ON OR BEFORE MARCH 31, 2011, BASED UPON THE REPORT REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (2), IF THE LEGISLATIVE AUDIT COMMITTEE ADOPTS A RESOLUTION FINDING THAT PROVIDING OUTPATIENT SUBSTANCE ABUSE TREATMENT HAS RESULTED IN AN OVERALL INCREASE IN COSTS TO THE MEDICAL ASSISTANCE PROGRAM, SECTION 26-4-302 (1) (u) IS REPEALED, EFFECTIVE JULY 1, 2011.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.

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

SECTION 2. 26-4-302 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

26-4-302. Basic services for the categorically needy - optional services - repeal. (1) Subject to the provisions of subsection (2) of this section, the following are services for which federal financial participation is available and which Colorado has selected to provide as optional services under the medical assistance program:

(u) (I) OUTPATIENT SUBSTANCE ABUSE TREATMENT.

(II) ON OR BEFORE MARCH 31, 2011, PURSUANT TO SECTION 26-4-534 (2), IF THE LEGISLATIVE AUDIT COMMITTEE ADOPTS A RESOLUTION FINDING THAT PROVIDING OUTPATIENT SUBSTANCE ABUSE TREATMENT HAS RESULTED IN AN OVERALL INCREASE IN COSTS TO THE MEDICAL ASSISTANCE PROGRAM, THIS PARAGRAPH (u) IS REPEALED, EFFECTIVE JULY 1, 2011.

SECTION 3. 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 26, 2005