

## CHAPTER 21

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**HUMAN SERVICES - SOCIAL SERVICES**


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**HOUSE BILL 05-1037**

BY REPRESENTATIVE(S) Harvey, Berens, Borodkin, Boyd, Buescher, Butcher, Carroll T., Clapp, Crane, Frangas, Gallegos, Green, Hefley, Hodge, Hoppe, Jahn, Knoedler, Larson, May M., McFadyen, Paccione, Penry, Ragsdale, Rose, Solano, Stafford, Stengel, and Todd;  
also SENATOR(S) Groff, Shaffer, Tapia, Tochtrop, and Williams.

**AN ACT****CONCERNING THE AUTHORITY FOR CERTAIN ADOPTED CHILDREN TO RECEIVE MEDICAL ASSISTANCE.**

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

**SECTION 1.** 26-4-201 (1) (h), Colorado Revised Statutes, is amended to read:

**26-4-201. Mandatory provisions - eligible groups.** (1) In order to participate in the medicaid program, the federal government requires the state to provide medical assistance to certain eligible groups. Pursuant to federal law and except as provided in subsection (2) of this section, any person who is eligible for medical assistance under the mandated groups specified in this section shall receive both the mandatory services that are specified in sections 26-4-202 and 26-4-203 and the optional services that are specified in sections 26-4-302 and 26-4-303. Subject to the availability of federal financial aid funds, the following are the individuals or groups that are mandated under federal law to receive benefits under this article:

(h) Children for whom adoption assistance or foster care maintenance payments are made UNDER TITLE IV-E OF THE "SOCIAL SECURITY ACT", AS AMENDED;

**SECTION 2.** The introductory portion to 26-4-301 (1), Colorado Revised Statutes, is amended, and the said 26-4-301 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**26-4-301. Optional provisions - optional groups.** (1) The federal government allows the state to select optional groups to receive medical assistance. Pursuant to federal law, any person who is eligible for medical assistance under the optional groups specified in this section shall receive both the mandatory services specified in

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

sections 26-4-202 and 26-4-203 and the optional services specified in sections 26-4-302 and 26-4-303. Subject to the availability of federal financial aid funds, the following are the individuals or groups ~~which~~ THAT Colorado has selected as optional groups to receive medical assistance pursuant to this article:

(t) CHILDREN FOR WHOM SUBSIDIZED ADOPTION ASSISTANCE PAYMENTS ARE MADE BY THE STATE PURSUANT TO ARTICLE 7 OF THIS TITLE, BUT WHO DO NOT MEET THE REQUIREMENTS OF TITLE IV-E OF THE "SOCIAL SECURITY ACT", AS AMENDED.

**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: March 31, 2005