

CHAPTER 332

APPROPRIATIONS

SENATE BILL 05-112

BY SENATOR(S) Tapia, Keller, and Owen;
also REPRESENTATIVE(S) Plant, Buescher, and Hall.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

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

SECTION 1. Part V of section 2 of chapter 427, Session Laws of Colorado 2004, is amended to read:

Section 2. **Appropriation.**

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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART V						
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING						
(1) EXECUTIVE DIRECTOR'S OFFICE^{29, 30, 30a}						
Personal Services	12,624,138* 13,302,337 ^a (196.1 FTE) (203.1 FTE)	5,683,628(M) 6,022,727(M)			154,764 ^b	6,785,746 7,124,846
Health, Life, and Dental	429,879	196,262(M)			2,247 ^c	231,370
Short-term Disability	18,843	8,494(M)			193 ^c	10,156
Salary Survey and Senior Executive Service	248,845	112,580(M)			1,393 ^c	134,872
Performance-based Pay	136,130	61,418(M)			795 ^c	73,917
Workers' Compensation	43,255 44,667	21,628(M) 22,334(M)				21,627 22,333
Operating Expenses	934,947 941,037	461,924(M) 464,969(M)			832 ^d	472,191 475,236
Legal Services and Third Party Recovery Legal Services for 12,684 hours Administrative Law Judge Services	780,953	316,901(M)		65,849 ^e	5,409 ^e	392,794
	676,943	338,471(M)				338,472

	609,643	304,822(M)		304,821
Purchases of Services from Computer Center	296,415	131,973(M)	16,235(T) ^f	148,207
	162,948	65,239(M)		81,474
Payment to Risk Management and Property Funds	67,493	33,747(M)		33,746
	58,795	29,398		29,397
Capitol Complex Leased Space	285,179	142,590(M)		142,589
	339,179	169,590(M)		169,589
Transfer to the Department of Human Services for Related Administration	74,564	37,282(M)		37,282
Medicaid Management Information System Contract	20,262,998	4,921,514(M)	149,748(T)^g	15,191,736
	21,983,743	5,576,146(M)	365,073(T) ^g	16,042,524
MEDICAID MANAGEMENT INFORMATION SYSTEM REPROCUREMENT CONTRACT	642,600	146,481(M)	6,747 ^h	489,372
Health Insurance Portability and Accountability Act of 1996 (HIPAA) Web Portal Maintenance	312,900	78,225(M)		234,675

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Health Insurance Portability and Accountability Act of 1996 (HIPAA) Security Rule Implementation	125,600	60,916(M)			1,319 ^c	63,365
Medicaid Authorization Cards and Identification Cards	355,601	177,042(M)		1,517 ^h		177,042
Department of Public Health and Environment Facility Survey and Certification	4,000,636	1,000,288(M)				3,000,348
Acute Care Utilization Review	1,309,826	342,529(M)			2,899 ⁱ	964,398
Long-Term Care Utilization Review	1,668,108	598,813(M)				1,069,295
External Quality Review	812,193	203,048(M)				609,145
EXTERNAL QUALITY REVIEW ORGANIZATION						
MENTAL HEALTH	352,807	88,202(M)				264,605
Drug Utilization Review	913,025 648,025	228,256(M)				684,769 419,769

Early and Periodic Screening, Diagnosis, and Treatment Program	2,468,383	1,234,192(M)		1,234,191
Nursing Facility Audits	864,150	432,075(M)		432,075
	1,097,500	548,750(M)		548,750
Hospital and Federally Qualified Health Clinic Audits	250,000	125,000(M)		125,000
DISABILITY DETERMINATION SERVICES ⁴⁷	1,163,662	581,831		581,831
Nursing Home Preadmission and Resident Assessments	1,010,040	252,510(M)		757,530
Nurse Aide Certification	297,769	136,041(M)	12,844(T) ^j	148,884
Nursing Home Quality Assessments	26,954	6,738(M)		20,216
Estate Recovery	700,000		350,000 ^k	350,000
Single Entry Point Administration	59,310	29,655(M)		29,655
Single Entry Point Audits	35,340	17,670(M)		17,670
S.B. 97-05 Enrollment Broker	875,756	437,878(M)		437,878
H.B. 01-1271 Medicaid Buy-in	65,081			65,081
Non-Emergency Transportation Services	4,400,778	2,200,389		2,200,389
	<u>4,421,479</u>	2,210,740		2,210,739

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	57,432,032					
	61,831,133					

^a For information purposes only, the appropriation includes \$361,418 and 6.0 FTE for the staffing costs associated with implementing the Health Insurance Portability and Accountability Act of 1996 and \$194,760 and 3.0 FTE for the staffing costs associated with the Colorado Benefits Management program.

^b Of this amount, \$124,599 shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S., and \$30,165 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

^c These amounts shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.

^d Of this amount, \$582 shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S., and \$250 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

^e This amount shall be from third party recoveries.

^f This amount shall be from the Old Age Pension Fund appropriated in the Department of Human Services, pursuant to Article 24 of the Constitution of Colorado.

^g Of this amount, \$215,325 SHALL BE FROM THE CHILDREN'S BASIC HEALTH PLAN TRUST CREATED IN SECTION 26-19-105, C.R.S., \$146,867(T) shall be from the Old Age Pension Fund appropriated in the Department of Human Services, \$2,347 shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., and \$534 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

^h This amount shall be from the Old Age Pension Health and Medical Care Fund, pursuant to Article 24 of the Constitution of Colorado.

ⁱ This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

^j This amount shall be from the Department of Regulatory Agencies.

^k This amount shall be from estate recoveries.

^l THIS AMOUNT SHALL BE FROM THE CHILDREN'S BASIC HEALTH PLAN TRUST CREATED IN SECTION 26-19-105, C.R.S.

(2) MEDICAL SERVICES PREMIUMS^{31, 32, 33, 34, 35, 37, 38, 39, 39a}

Services for 34,048 Supplemental Security Income Adults 65 and Older (SSI 65 +) at an average cost of \$19,112.45 \$19,120.94	650,740,709 651,029,795
Services for 5,648 Supplemental Income Adults 60 to 64 Years of Age (SSI 60 - 64) at an average cost of \$12,877.70 \$12,908.23	72,733,265 72,905,673
Services for 10,353 Qualified Medicare Beneficiaries (QMBs) and Special Low-Income Medicare Beneficiaries (SLIMBs) at an average cost of \$979.99	10,145,840
Services for 46,226 Supplemental Security Income Disabled Individuals at an average cost of \$12,606.79 \$12,670.43	582,761,330 585,703,087

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Services for 49,019 Categorically Eligible Low-income Adults at an average cost of \$3,639.65	178,410,002					
Services for 8,026 Baby Care Program Adults at an average cost of \$6,111.71	49,052,569					
Services for 176 S.B. 01S2-12 Breast and Cervical Cancer Treatment Clients at an Average Cost of \$32,956.11	5,800,275					
Services for 202,001 Eligible Children at an average cost of \$1,416.32	286,097,561					
Services for 15,130 Foster Children at an average cost of \$2,927.09	44,286,809 44,286,826					

Services for 4,784 Non-Citizens at an Average Cost of \$11,433.08	<u>54,695,848</u>	1,934,724,208	937,325,584(M)	813,076 ^a	29,166,690 ^b	967,418,858
		1,938,127,476	939,027,218(M)			969,120,492

^a Of this amount, \$740,896 shall be from the Children's Home- and Community-based Services Cash Fund created in Section 26-4-424 (5), C.R.S., and \$72,180 shall be from service fees from privately owned intermediate care facilities for the mentally retarded, pursuant to Section 26-4-410 (1) (d) (I), C.R.S.

^b Of this amount, \$28,151,642 represents public funds certified as representing expenditures incurred by public nursing homes and hospitals that are eligible for federal financial participation under the Medicaid program, and \$1,015,048 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

~~(3) Medicaid Mental Health Community Programs~~

(3) MEDICAID MENTAL HEALTH COMMUNITY PROGRAMS

~~(A) Program~~

Administration	1,037,096	430,346(M)	606,750
	(9.0 FTE)		

~~(B) Mental Health Programs~~

~~(1) Medicaid Mental Health Capitation^{39b}~~

~~Capitation Base Payments
for 376,174 Estimated
Medicaid~~

Eligible Clients	140,624,800	70,312,400(M)	70,312,400
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Mental Health Services for Breast and Cervical Cancer Patients	71,175				24,911 ^a	46,264
Mental Health Institute Rate Refinance Adjustment	3,097,499	1,548,750(M)				1,548,749
Alternatives to Inpatient Hospitalization at the Mental Health Institute at Pueblo	852,311	426,155(M)				426,156
Alternatives to Inpatient Hospitalization at the Mental Health Institute at Fort Logan	783,191	391,595(M)				391,596
Alternatives to the Fort Logan Aftercare Program	310,702	155,351(M)				155,351
	<u>145,739,678</u>					

^a This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

(2) Other Medicaid
Mental Health Payments

Medicaid Mental Health Fee for Service Payments	2,827,380	1,413,690(M)	1,413,690
	1,169,576	584,788(M)	584,788
Medicaid Mental Health Child Placement Agency	7,440,901		7,440,901(T) ^a
Medicaid Anti-Psychotic Pharmaceuticals	<u>34,526,249</u>		34,526,249(T) ^b
	44,794,530		
	43,136,726		

^a This amount is shown for informational purposes only and reflects total expenditures which originate as 50 percent General Fund appropriated to the Division of Child Welfare in the Department of Human Services and 50 percent federal funds transferred from the Department of Health Care Policy and Financing.

^b This amount is shown for informational purposes only and reflects an estimate of the portion of the Medical Services Premium line item.

~~191,571,304~~
188,876,404

(4) INDIGENT CARE PROGRAM

Safety Net Provider Payments ⁴⁰	249,688,322	9,432,484(M)	115,400,000 ^a	124,855,838
The Children's Hospital, Clinic Based Indigent Care	6,119,760	3,059,880(M)		3,059,880
H.B. 97-1304 Children's Basic Health Plan Trust	20,983,142	3,296,346	210,400 ^b	17,476,396 ^c
Children's Basic Health Plan Administration	4,325,385		1,997,552 ^d	2,327,833

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Children's Basic Health Plan Premium Costs ⁴¹	58,701,708				20,545,598 ^d	38,156,110
Children's Basic Health Plan Dental Benefit Costs	5,620,437				1,967,153 ^d	3,653,284
Comprehensive Primary and Preventive Care Fund	5,239,789				5,239,789 ^e	
Comprehensive Primary and Preventive Care Grants Program	<u>5,239,789</u>				5,239,789 ^f	
	355,918,332					

^a This amount represents public funds certified as representing expenditures incurred by hospitals that are eligible for federal financial participation under the Medicaid Major Teaching Hospital Program, Medicaid, and the Medicaid Disproportionate Share Payments to Hospitals Program.

^b This amount shall be from annual premiums paid by participating families.

^c This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (b), C.R.S.

^d These amounts shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.

^e This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (g), C.R.S.

^f This amount shall be from the Comprehensive Primary and Preventive Care Fund created in Section 26-4-1007, C.R.S., pursuant to Section 24-75-1104 (1) (g), C.R.S.

(5) OTHER MEDICAL SERVICES

Services for 3,979 Old Age Pension State Medical Program clients at an average cost of \$2,701.30 ⁴²	10,748,483		10,748,483 ^a	
Home Care Allowance for 4,087 Recipients at an average monthly cost of \$221.85.	10,880,411	10,336,390		544,021(L) ^b
Adult Foster Care for 58 Recipients at an average monthly cost of \$226.25	157,469	149,596		7,873(L) ^b
University of Colorado Family Medicine Residency Training Programs	1,449,444	724,722(M)		724,722
Enhanced Prenatal Care Training and Technical Assistance	102,346	51,173(M)		51,173
Nurse Home Visitor Program	3,010,000		1,505,000(T) ^c	1,505,000
S.B. 97-101 Public School Health Services ⁴³	29,717,200		15,131,305 ^d	14,585,895
	<u>29,805,501</u>			14,674,196
		56,065,353		
		56,153,654		

^a This amount shall be from the Old Age Pension Health and Medical Care Fund, pursuant to Article 24 of the Constitution of Colorado.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b These amounts shall be from local funds.

^c This amount shall be a transfer from the Department of Public Health and Environment.

^d This amount represents funds certified as representing expenditures incurred by school districts that are eligible for federal financial participation under Medicaid.

(6) DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS

(A) Executive Director's

Office - Medicaid

Funding⁴⁴	9,502,563	4,751,283(M)			4,751,280
	9,318,892	4,659,447(M)			4,659,445

**(B) Office of
Information Technology
Services -**

Medicaid Funding

Colorado Benefits Management System ^{45, 46}	5,299,435	2,772,241(M)		27,406(T) ⁴	2,499,788
Other Office of Information Technology Services line items	507,026	253,513(M)			253,513
	540,458	270,230(M)			270,228
	<u>5,806,461</u>				
	5,839,893				

^a This amount shall be from the Old Age Pension Fund appropriated in the Department of Human Services, pursuant to Article 24 of the Constitution of Colorado.

(C) Office of Operations

- Medicaid Funding	5,226,867	2,613,434(M)	2,613,433
	5,336,287	2,668,144(M)	2,668,143

(D) County

Administration -

Medicaid Funding	8,624,879	3,234,330(M)	5,390,549
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(E) Division of Child

Welfare - Medicaid

Funding	79,473,510	39,736,755(M)	39,736,755
	72,667,032	36,333,516(M) ^a	36,333,516

^a OF THIS AMOUNT, \$29,623 IS ASSOCIATED WITH THE ADMINISTRATION LINE ITEM APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILD WELFARE, AND \$36,303,893 IS ASSOCIATED WITH THE CHILD WELFARE SERVICES LINE ITEM APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILD WELFARE. THE AMOUNT ASSOCIATED WITH THE CHILD WELFARE SERVICES LINE ITEM INCLUDES AN ESTIMATED \$28,285,438 FOR RESIDENTIAL TREATMENT CENTER CARE, \$4,750,000 FOR THE CHILDREN'S HABILITATIVE RESIDENTIAL PROGRAM, AND \$3,268,455 FOR THE CHILD PLACEMENT AGENCY MEDICAID TRANSFER PROGRAM. THESE AMOUNTS ARE ESTIMATES OF THE PORTION OF THE GENERAL FUND MONEYS APPROPRIATED FOR CHILD WELFARE SERVICES THAT COUNTIES WILL SPEND ON MEDICAID-ELIGIBLE SERVICES. PURSUANT TO SECTION 24-75-106, C.R.S., GENERAL FUND APPROPRIATIONS ARE TRANSFERRED TO AND FROM THIS APPROPRIATION AND THE CHILD WELFARE SERVICES APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES WHEN REQUIRED BASED ON THE ACTUAL AMOUNT OF FEDERAL MEDICAID FUNDS EARNED THROUGH COUNTY CHILD WELFARE EXPENDITURES.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(F) Office of Self Sufficiency, Disability Determination Services - Medicaid Funding⁴⁷	1,163,662	581,831(M)				581,831
(G) (F) Mental Health and Alcohol and Drug Abuse Services - Medicaid Funding						
Administration	277,951	138,976(M)				138,975
Mental Health Community Programs, Goebel Lawsuit						
Settlement	11,655,586	5,827,793(M)				5,827,793
Mental Health Institutes	4,876,070	2,438,035(M)				2,438,035
Alcohol and Drug Abuse Division, High Risk						
Pregnant Women Program	471,915	235,957(M)				235,958
	1,037,862	518,931(M)				518,931
	<u>17,281,522</u>					
	17,847,469					

~~(H)~~ (G) Services for
 People with Disabilities -
 Medicaid Funding

Community Services - Medicaid Funding	219,038,318 217,907,467	109,519,159(M) 108,953,734(M) ^d		109,519,159 108,953,733 ^d
Regional Centers - Medicaid Funding	39,362,220 38,613,115	18,931,270(M) 18,556,718(M)	749,840 ^a	19,681,110 19,306,557
Federally-matched Local Program Costs	16,542,353 19,807,076		8,271,177 ^b 9,903,539 ^b	8,271,176 9,903,537
Regional Center Depreciation and Annual Adjustments	1,460,194	730,097(M)		730,097
Services for Families and Children - Medicaid Funding	<u>3,745,232</u> 280,148,317 281,533,084	1,834,456(M)	76,320 ^c	1,834,456

^a This amount shall be from service fees from regional centers for the developmentally disabled, pursuant to Section 26-4-410 (1) (d) (I), C.R.S.

^b This amount represents funds certified as expenditures incurred by local governments that are eligible for federal financial participation under Medicaid.

^c This amount shall be from the Children's Home-and Community-based Services Cash Fund, pursuant to Section 26-4-424 (5), C.R.S.

^d UP TO 3.0 PERCENT OF THESE FUNDS, IF NOT EXPENDED PRIOR TO JULY 1, 2005, SHALL BE ROLLED FORWARD AND SHALL REMAIN AVAILABLE FOR EXPENDITURE IN FY 2005-06.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(H) Adult Assistance Programs; Community Services for the Elderly - Medicaid Funding	1,800	900(M)				900
(I) Division of Youth Corrections - Medicaid Funding	11,563,845 13,632,224	5,781,922(M) 6,816,112(M)				5,781,922 6,816,112
	418,793,426 414,801,560					
TOTALS PART V (HEALTH CARE POLICY AND FINANCING)^{1, 2}	<u>\$3,014,504,655</u> <u>\$3,015,708,559</u>	<u>\$1,258,466,091</u> <u>\$1,257,143,475</u>		<u>\$12,265,645</u>	<u>\$265,610,328^a</u> <u>\$267,464,762^a</u>	<u>\$1,478,162,591</u> <u>\$1,478,834,677</u>

^a Of this amount, ~~\$43,825,250~~ \$44,040,575 contains an (T) notation, and \$551,894 contains a (L) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

1 (Governor lined through this provision. See L. 2004, p. 2712.)

2 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.

29 Department of Health Care Policy and Financing, Executive Director's Office -- The Department is requested to submit an accounting of all line items by actual expenditure. Actual expenditure is defined as final expenditure for the state fiscal year 2003-04, including post-closing payments. The Department is requested to submit this information to the Joint Budget Committee by October 31, 2004.

30 Department of Health Care Policy and Financing, Executive Director's Office -- The Department is requested to submit monthly Medicaid expenditure and caseload reports on the Medical Services Premiums budget to the Joint Budget Committee, by the third Monday of each month. The Department is requested to include in the report the managed care organization caseload by aid category. The Department is also requested to provide caseload and expenditure data for the Children's Basic Health Plan within the monthly report.

30a (Governor lined through this provision. See L. 2004, p. 2723.)

31 Department of Health Care Policy and Financing, Medical Services Premiums; and Department of Law, Criminal Justice and Appellate, Medicaid Fraud Grant -- The General Assembly requests that the Department of Law's Medicaid Fraud Control Unit produce a progress report on the Department's efforts to reduce Medicaid fraud and abuse in Colorado. The report should include: (1) estimates on the total amount of Medicaid fraud and abuse in Colorado; (2) an itemized list of total fines, costs, and restitutions recovered, on a case-by-case basis, attributable to the Medicaid Fraud Control Unit's efforts; (3) an analysis of the time and cost associated with each Medicaid fraud or abuse case prosecuted by the Medicaid Fraud Control Unit; (4) a detailed explanation of the Medicaid Fraud Control Unit's participation in the Operation Restore Trust program; (5) a detailed explanation of the Medicaid Fraud Control Unit's participation in global or national Medicaid fraud settlements, including total awards received due to them; and (6) evidence of the effectiveness of the Medicaid Fraud Control Unit in reducing the amount of Medicaid fraud and abuse in Colorado. The Medicaid Fraud Control Unit is requested to submit the report to the Joint Budget Committee by November

group total for Medicaid Mental Health Capitation.

40 (Governor lined through this provision. See L. 2004, p. 2726.)

41 Department of Health Care Policy and Financing, Indigent Care Program, Children's Basic Health Plan Premium Costs -- This appropriation assumes an average medical cost per child of \$1,091.04 per year (\$90.92 per member per month), not including dental services, and assumes an estimated average monthly caseload of 47,600 children. The appropriation assumes 9,565 prenatal member months and 874 births for adult pregnant women served by the Children's Basic Health Plan waiver program.

42 (Governor lined through this provision. See L. 2004, p. 2726.)

43 Department of Health Care Policy and Financing, Other Medical Services, S.B. 97-101 Public School Health Services -- The Departments are requested to submit a report by November 1 of each year to the joint budget committee on the services that receive reimbursement from the federal government under S.B. 97-101 public school health service program. The report should include information on the type of services, how those services meet the definition of medical necessity, and the total amount of federal dollars that was distributed to each school under the program. The report should also include information on how many children were served by the program.

44 Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Executive Director's Office - Medicaid Funding -- The appropriation in this Health Care Policy and Financing line item corresponds to the Medicaid funding in the Department of Human Services, Executive Director's Office, General Administration. As such, the appropriation contains amounts that corresponds to centralized appropriation amounts in the Department of Human Services. Consistent with the head notes to the Long Bill, the Department of Human Services is able to transfer the centralized appropriation to other appropriation line items in their appropriation bill. In order to aid budget reconciliation between the Department of Health Care Policy and Financing and the Department of Human Services, the Department of Health Care Policy and Financing is hereby authorized to make line item transfers out of this appropriation to other Department of Human Services Medicaid-funded programs appropriations in this section (5) in amounts equal to the centralized appropriation transfers made by the Department of Human Services for Medicaid funded programs in the Department of Human Services.

45 (Governor lined through this provision. See L. 2004, p. 2726.)

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
46						
<p>Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Information Technology Services-Medicaid Funding, Colorado Benefits Management System; Department of Human Services, Office of Information Technology Services, Colorado Benefits Management System; SYSTEM Department of Personnel and Administration, Central Services, Document Solutions Group -- It is the intent of the General Assembly that the Department of Health Care Policy and Financing and the Department of Human Services be allowed to "roll-forward" a total of \$2,453,201 \$3,317,429 in spending authority related to Personal Responsibility and Work Opportunity Reconciliation Act moneys from FY 2003-04 to be used in FY 2004-05. It is the intent of the General Assembly that these moneys be ALLOCATED TO THE COUNTIES used to pay the Department of Personnel and Administration for costs incurred with Colorado Benefits Management System data conversion.</p>						
47						
<p>Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Self Sufficiency, Disability Determination Services - Medicaid Funding, Department of Human Services, Office of Self Sufficiency, Disability Determination Services EXECUTIVE DIRECTOR'S OFFICE, DISABILITY DETERMINATION SERVICES -- On or before October 15, 2005, the Department of Health Care Policy and Financing is requested to provide a report indicating the costs and estimated savings associated with representation from disability determination services at administrative law judge hearings regarding Medicaid eligibility determination on the basis of disability. The report should include all costs associated with attendance at administrative law judge hearings; a comparison of the denial rates for this population over the past three years; and an estimate of any savings associated with an increase in denials upon appeal.</p>						

SECTION 2. Part V (5) (A) and the affected totals of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of chapter 406 and section 5 of chapter 427, Session Laws of Colorado 2004, are amended to read:

Section 2. **Appropriation.**

**PART V
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING**

(5) DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS^{41, 42}

(A) Executive

Director's Office -

Medicaid Funding^{42a}	8,078,429	4,039,215(M)²	4,039,214
	8,041,038	4,020,519(M) ³	4,020,519

³ Of this amount, \$28,285 is exempt from the statutory limit on state General Fund appropriation pursuant to Section 24-75-201.1 (1) (a) (III) (A), C.R.S.

~~565,431,383~~
565,393,992

TOTALS PART V

(HEALTH CARE

POLICY AND

FINANCING)^{2, 3, 44a}

\$2,950,191,493	\$1,238,630,150	\$635,517	\$239,465,482 ³	\$1,471,460,344
<u>\$2,950,154,102</u>	<u>\$1,238,611,454</u>	_____	_____	<u>\$1,471,441,649</u>

³ Of this amount, \$551,894 contains an (L) notation, and \$11,697,505 contains a (T) notation.

SECTION 3. Appropriation. 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, for the fiscal year beginning July 1, 2003, the sum of fifty-five thousand sixty dollars (\$55,060), or so much thereof as may be necessary for the payment of overexpenditures of line item appropriations contained in Part V of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of chapter 406, Session Laws of Colorado 2004. In accordance with section 24-75-109 (4) (a), Colorado Revised Statutes, all restrictions on funds for the Medicaid Management Information System Contract, Department of Health Care Policy and Financing, for the 2004-05 fiscal year, attributable to the payment of overexpenditures for the 2003-04 fiscal year, shall be released.

SECTION 4. Appropriation. 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, for the fiscal year beginning July 1, 2003, the sum of eight million four hundred thirty-seven thousand nine hundred eighty dollars (\$8,437,980), or so much thereof as may be necessary for the payment of overexpenditures of line item appropriations contained in Part V of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of chapter 406, Session Laws of Colorado 2004, and by section 5 of chapter 427, Session Laws of Colorado 2004. In accordance with section 24-75-109 (4) (a), Colorado Revised Statutes, all restrictions on funds for Medical Services Premiums, Department of Health Care Policy and Financing, for the 2004-05 fiscal year, attributable to the payment of overexpenditures for the 2003-04 fiscal year, shall be released.

SECTION 5. Section 3 of chapter 243, Session Laws of Colorado 2004, is amended to read:

Section 3. **Appropriation - adjustments to 2004 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2004, shall be adjusted as follows:

(a) The appropriation to the department of health care policy and financing, division of department of human services medicaid-funded programs, for mental health and alcohol and drug abuse services - medicaid funding, alcohol and drug abuse division, high risk pregnant women program, is increased by ninety-five thousand eight hundred five dollars (\$95,805). Of said sum, forty-seven thousand nine hundred two dollars (\$47,902) shall be a cash fund exempt transfer from the department of human services substance abuse block grant program and forty-seven thousand nine hundred three dollars (\$47,903) shall be from federal funds. THE SOURCE OF SAID CASH FUND EXEMPT TRANSFER TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL BE GENERAL FUND APPROPRIATED IN THE DEPARTMENT OF HUMAN SERVICES, MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE DIVISION,

OTHER PROGRAMS, FOR THE BALANCE OF SUBSTANCE ABUSE BLOCK GRANT PROGRAMS LINE ITEM.

(b) The appropriation to the department of human services, division of mental health and alcohol and drug abuse services, for alcohol and drug abuse division, community programs, treatment services, high risk pregnant women program, is increased by ninety-five thousand eight hundred five dollars (\$95,805) cash fund exempt. The cash fund exempt shall be a transfer from the department of health care policy and ~~financing~~. FINANCING OUT OF THE APPROPRIATION MADE IN SUBPARAGRAPH (a) OF THIS SUBSECTION.

SECTION 6. 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 11, 2005

