

## CHAPTER 228

---

**HEALTH CARE POLICY AND FINANCING**


---

**SENATE BILL 07-002**

BY SENATOR(S) Sandoval, Boyd, Fitz-Gerald, Gordon, Groff, Shaffer, Tapia, Tochtrop, Tupa, Williams, and Windels;  
also REPRESENTATIVE(S) Stafford, Butcher, Frangas, Todd, Borodkin, Buescher, Carroll M., Curry, Gagliardi, Gibbs, Green,  
Jahn, Kefalas, Kerr A., Kerr J., Labuda, McFadyen, McGihon, Primavera, Roberts, and Summers.

**AN ACT**

**CONCERNING EXTENDING MEDICAID ELIGIBILITY FOR PERSONS WHO ARE IN THE FOSTER CARE SYSTEM IMMEDIATELY PRIOR TO EMANCIPATION, AND MAKING AN APPROPRIATION THEREFOR.**

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

**SECTION 1.** 25.5-5-201 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**25.5-5-201. Optional provisions - optional groups - repeal.** (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 sections 25.5-5-102 and 25.5-5-103 and the optional services specified in sections 25.5-5-202 and 25.5-5-203. Subject to the availability of federal financial aid funds, the following are the individuals or groups that Colorado has selected as optional groups to receive medical assistance pursuant to this article and articles 4 and 6 of this title:

(n) INDIVIDUALS UNDER THE AGE OF TWENTY-ONE YEARS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO SECTION 25.5-5-101 (1) (e) IMMEDIATELY PRIOR TO ATTAINING THE AGE OF EIGHTEEN YEARS OR OTHERWISE BECOMING EMANCIPATED.

**SECTION 2.** 24-22-117 (2) (a) (II) (G) and (2) (a) (II) (H), Colorado Revised Statutes, are amended, and the said 24-22-117 (2) (a) (II) is further amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH, to read:

**24-22-117. Tobacco tax cash fund - accounts - creation - repeal.** (2) There are hereby created in the state treasury the following 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.*

(a) (II) Except as provided in subparagraphs (III) and (IV) of this paragraph (a), for fiscal year 2005-06 and each fiscal year thereafter, moneys in the health care expansion fund shall be annually appropriated by the general assembly to the department of health care policy and financing for the following purposes:

(G) To provide up to five hundred forty thousand dollars for cost-effective marketing to increase the enrollment of eligible children and pregnant women in the children's basic health plan, article 8 of title 25.5, C.R.S.; ~~and~~

(H) To provide presumptive eligibility to pregnant women under the medical assistance program, articles 4, 5, and 6 of title 25.5, C.R.S.; AND

(I) TO PROVIDE FUNDING FOR EXTENDING MEDICAID ELIGIBILITY FOR PERSONS WHO ARE IN THE FOSTER CARE SYSTEM IMMEDIATELY PRIOR TO EMANCIPATION, AS SET FORTH IN SECTION 25.5-5-201 (1) (n), C.R.S.

**SECTION 3. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for allocation to the executive director's office, for the Medicaid management information system contract, for the fiscal year beginning July 1, 2006, the sum of thirty-four thousand six hundred fifty dollars (\$34,650), or so much thereof as may be necessary, for the implementation of this act. Of said sum, eight thousand six hundred sixty-three dollars (\$8,663) shall be from the health care expansion fund created in section 24-22-117 (2) (a) (I), Colorado Revised Statutes, and twenty-five thousand nine hundred eighty-seven dollars (\$25,987) shall be from federal funds.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for allocation to the office of information technology services, for Colorado trails, for the fiscal year beginning July 1, 2006, the sum eight thousand five hundred fifty dollars (\$8,550), or so much thereof as may be necessary, for the implementation of this act. Of said sum, four thousand two hundred seventy-five dollars (\$4,275) shall be from the health care expansion fund created in section 24-22-117 (2) (a) (I), Colorado Revised Statutes, and four thousand two hundred seventy-five dollars (\$4,275) shall be from federal funds.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for allocation to the medical services premiums division, for medical services premiums, for the fiscal year beginning July 1, 2007, the sum of three million nine hundred thousand eight hundred fifty-nine dollars (\$3,900,859), or so much thereof as may be necessary, for the implementation of this act. Of said sum, one million nine hundred fifty thousand four hundred thirty dollars (\$1,950,430) shall be from the health care expansion fund created in section 24-22-117 (2) (a) (I), Colorado Revised Statutes, and one million nine hundred fifty thousand four hundred twenty-nine dollars (\$1,950,429) shall be from federal funds.

(4) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for allocation to the Medicaid mental health community programs division, for mental health capitation payments for Medicaid eligible clients, for the fiscal year beginning July 1, 2007, the sum of

four million three hundred eighty thousand eight hundred seventy-one dollars (\$4,380,871), or so much thereof as may be necessary, for the implementation of this act. Of said sum, two million one hundred ninety thousand four hundred thirty-five dollars (\$2,190,435) shall be from the health care expansion fund created in section 24-22-117 (2) (a) (I), Colorado Revised Statutes, and two million one hundred ninety thousand four hundred thirty-six dollars (\$2,190,436) shall be from federal funds.

**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 15, 2007