

## CHAPTER 346

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**HEALTH CARE POLICY AND FINANCING**

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**SENATE BILL 07-130**

BY SENATOR(S) Boyd, Bacon, Fitz-Gerald, Gordon, Groff, Hagedorn, Keller, Mitchell S., Morse, Romer, Sandoval, Schwartz, Shaffer, Spence, Tochtrop, Tupa, Williams, Windels, and Ward;  
also REPRESENTATIVE(S) Carroll M., Borodkin, Casso, Fischer, Frangas, Gibbs, Hicks, Hodge, Kefalas, Kerr A., Labuda, Madden, McGihon, Primavera, Riesberg, Roberts, Solano, Stafford, Stephens, Todd, and White.

**AN ACT****CONCERNING MEDICAL HOMES FOR CHILDREN, AND MAKING AN APPROPRIATION THEREFOR.**

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

**SECTION 1.** 25.5-1-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**25.5-1-103. Definitions.** As used in this title, unless the context otherwise requires:

(5.5) "MEDICAL HOME" MEANS AN APPROPRIATELY QUALIFIED MEDICAL SPECIALTY, DEVELOPMENTAL, THERAPEUTIC, OR MENTAL HEALTH CARE PRACTICE THAT VERIFIABLY ENSURES CONTINUOUS, ACCESSIBLE, AND COMPREHENSIVE ACCESS TO AND COORDINATION OF COMMUNITY-BASED MEDICAL CARE, MENTAL HEALTH CARE, ORAL HEALTH CARE, AND RELATED SERVICES FOR A CHILD. A MEDICAL HOME MAY ALSO BE REFERRED TO AS A HEALTH CARE HOME. IF A CHILD'S MEDICAL HOME IS NOT A PRIMARY MEDICAL CARE PROVIDER, THE CHILD MUST HAVE A PRIMARY MEDICAL CARE PROVIDER TO ENSURE THAT A CHILD'S PRIMARY MEDICAL CARE NEEDS ARE APPROPRIATELY ADDRESSED. ALL MEDICAL HOMES SHALL ENSURE, AT A MINIMUM, THE FOLLOWING:

- (a) HEALTH MAINTENANCE AND PREVENTATIVE CARE;
- (b) ANTICIPATORY GUIDANCE AND HEALTH EDUCATION;
- (c) ACUTE AND CHRONIC ILLNESS CARE;

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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.*

- (d) COORDINATION OF MEDICATIONS, SPECIALISTS, AND THERAPIES;
- (e) PROVIDER PARTICIPATION IN HOSPITAL CARE; AND
- (f) TWENTY-FOUR-HOUR TELEPHONE CARE.

**SECTION 2.** Part 1 of article 1 of title 25.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**25.5-1-123. Medical homes for children - legislative declaration - duties of the department - reporting requirements.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) THE BEST MEDICAL CARE FOR INFANTS, CHILDREN, AND ADOLESCENTS IS PROVIDED THROUGH A MEDICAL HOME, AS DEFINED IN SECTION 25.5-1-103, AND THAT IS CONSISTENT WITH THE JOINT PRINCIPLES OF A PATIENT-CENTERED MEDICAL HOME. THOSE PRINCIPLES SHALL INCLUDE A WHOLE PERSON ORIENTATION, CARE THAT IS COORDINATED AND INTEGRATED ACROSS ALL ELEMENTS OF THE COMPLEX HEALTH CARE SYSTEM AND THE PATIENT'S COMMUNITY, AND CARE THAT PROVIDES FOR QUALITY AND SAFETY OF THE PATIENT WHERE QUALIFIED HEALTH CARE PRACTITIONERS PROVIDE PRIMARY CARE AND HELP MANAGE AND FACILITATE ALL ASPECTS OF MEDICAL CARE;

(b) INFANTS, CHILDREN, AND ADOLESCENTS AND THEIR FAMILIES WORK BEST WITH A HEALTH CARE PRACTITIONER WHO KNOWS THE FAMILY AND WHO DEVELOPS A PARTNERSHIP OF MUTUAL RESPONSIBILITY AND TRUST;

(c) MEDICAL CARE PROVIDED THROUGH EMERGENCY DEPARTMENTS, WALK-IN CLINICS, AND OTHER URGENT-CARE FACILITIES IS OFTEN MORE COSTLY AND LESS EFFECTIVE THAN CARE GIVEN BY A PHYSICIAN WITH PRIOR KNOWLEDGE OF THE CHILD AND HIS OR HER FAMILY; AND

(d) THE STATE DEPARTMENT SHOULD STRIVE TO FIND A MEDICAL HOME FOR EACH CHILD RECEIVING SERVICES THROUGH THE STATE MEDICAL ASSISTANCE PROGRAM, ARTICLES 4, 5, AND 6 OF THIS TITLE, OR THE CHILDREN'S BASIC HEALTH PLAN, ARTICLE 8 OF THIS TITLE.

(2) ON OR BEFORE JULY 1, 2008, THE STATE DEPARTMENT, IN CONJUNCTION WITH THE COLORADO MEDICAL HOME INITIATIVE IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, SHALL DEVELOP SYSTEMS AND STANDARDS TO MAXIMIZE THE NUMBER OF CHILDREN ENROLLED IN THE STATE MEDICAL ASSISTANCE PROGRAM OR THE CHILDREN'S BASIC HEALTH PLAN WHO HAVE A MEDICAL HOME. THE SYSTEMS AND STANDARDS DEVELOPED SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, WAYS TO ENSURE THAT A MEDICAL HOME SHALL OFFER FAMILY-CENTERED, COMPASSIONATE, CULTURALLY EFFECTIVE CARE AND SENSITIVE, RESPECTFUL COMMUNICATION TO A CHILD AND HIS OR HER FAMILY.

(3) ON OR BEFORE JANUARY 30, 2008, AND EVERY JANUARY 30 THEREAFTER, THE STATE DEPARTMENT SHALL REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON PROGRESS MADE TOWARD MAXIMIZING THE NUMBER

OF CHILDREN WITH A MEDICAL HOME WHO ARE ENROLLED IN THE STATE MEDICAL ASSISTANCE PROGRAM OR THE CHILDREN'S BASIC HEALTH PLAN.

**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 allocation to the executive director's office, for the fiscal year beginning July 1, 2007, the sum of forty-four thousand nine hundred sixty-five dollars (\$44,965) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be subject to the "(M)" notation as defined in the general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2007, the department of health care policy and financing will receive the sum of seventy-three thousand one hundred sixty-three dollars (\$73,163) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds in developing state appropriation amounts.

**SECTION 4. Effective date.** (1) This act shall take effect only if:

(a) House Bill 07-1021 is enacted at the first regular session of the sixty-sixth general assembly and becomes law;

(b) The final fiscal estimate for House Bill 07-1021, determined from the appropriations enacted in said bill, shows a net reduction in the amount of general fund expenditures appropriated for the state fiscal year 2007-08, that is equal to or greater than the amount of the general fund appropriation made for the implementation of this act for the state fiscal year 2007-08, as reflected in section 3 of this act; and

(c) The staff director of the joint budget committee files written notice with the revisor of statutes no later than July 15, 2007, that the requirement set forth in paragraph (b) of this subsection (1) has been met.

**SECTION 5. 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 31, 2007