

CHAPTER 329

HEALTH CARE POLICY AND FINANCING

SENATE BILL 08-099

BY SENATOR(S) Sandoval, Bacon, Boyd, Gibbs, Isgar, Keller, Mitchell S., Schwartz, Shaffer, Spence, Tochtrop, Tupa, Veiga, Williams, Windels, Romer, and Ward;
also REPRESENTATIVE(S) Stafford, Benefield, Borodkin, Buescher, Casso, Ferrandino, Frangas, Gagliardi, Garza-Hicks, Green, Hodge, Jahn, Kefalas, Kerr A., Labuda, Looper, Madden, McFadyen, McGihon, Merrifield, Primavera, Rice, Solano, Summers, Swalm, and Todd.

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) (l) and (1) (n), Colorado Revised Statutes, are amended to read:

25.5-5-201. 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 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:

(l) Children for whom subsidized adoption assistance payments are made by the state pursuant to article 7 of title 26, C.R.S., OR FOSTER CARE MAINTENANCE PAYMENTS ARE MADE BY THE STATE PURSUANT TO ARTICLE 5 OF TITLE 26, C.R.S., but who do not meet the requirements of Title IV-E of the "Social Security Act", as amended;

(n) Individuals under the age of twenty-one years eligible for medical assistance pursuant to PARAGRAPH (l) OF THIS SUBSECTION (1) OR section 25.5-5-101 (1) (e)

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

immediately prior to attaining the age of eighteen years or otherwise becoming emancipated.

SECTION 2. 19-3-702, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

19-3-702. Permanency hearing - periodic review. (10) PRIOR TO CLOSING A CASE PRIOR TO A YOUTH'S EIGHTEENTH BIRTHDAY, THE COURT OR THE YOUTH'S GUARDIAN AD LITUM SHALL NOTIFY THE YOUTH THAT HE OR SHE SHALL LOSE THE RIGHT TO RECEIVE MEDICAID UNTIL THE YOUTH'S TWENTY-FIRST BIRTHDAY IF THE CASE IS CLOSED PRIOR TO THE YOUTH'S EIGHTEENTH BIRTHDAY.

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 medical services premiums division, for medical services premiums, for the fiscal year beginning July 1, 2008, the sum of three hundred forty-six thousand sixty-one dollars (\$346,061), or so much thereof as may be necessary, for the implementation of this act. Said amount shall be from the health care expansion fund created in section 24-22-117 (2) (a) (I), Colorado Revised Statutes. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2008, the department of health care policy and financing will receive three hundred forty-six thousand sixty dollars (\$346,060) 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.

(2) 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, mental health capitation payments for Medicaid eligible clients, three hundred sixty-eight thousand three hundred thirty-nine dollars (\$368,339), or so much thereof as may be necessary, for the implementation of this act. Said amount shall be from the health care expansion fund created in section 24-22-117 (2) (a) (I), Colorado Revised Statutes. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2008, the department of health care policy and financing will receive three hundred sixty-eight thousand three hundred forty dollars (\$368,340) 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. This act shall take effect July 1, 2008.

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 28, 2008