CHAPTER 2

HEALTH CARE POLICY AND FINANCING

SENATE BILL 09-211

BY SENATOR(S) Keller, Tapia, White, Williams;
also REPRESENTATIVE(S) Ferrandino, Pommer, Marostica, Ryden, Todd.

AN ACT

CONCERNING A DELAY IN THE EXPANSION OF ELIGIBILITY FOR THE CHILDREN'S BASIC HEALTH PLAN, AND MAKING MODIFICATIONS TO AN APPROPRIATION THEREFOR.

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

SECTION 1. 25.5-8-103 (4) (a), Colorado Revised Statutes, as it will become effective March 1, 2009, is amended to read:

25.5-8-103. Definitions. As used in this article, unless the context otherwise requires:

(4) "Eligible person" means:

(a) A person who is less than nineteen years of age, whose family income does not exceed two hundred twenty-five FIVE percent of the federal poverty level, adjusted for family size; except that, subject to available appropriations, the department may increase the percentage of the federal poverty level for purposes of eligibility to up to two hundred fifty percent; or

SECTION 2. 25.5-8-103 (4) (b), Colorado Revised Statutes, as it exists until October 1, 2009, is amended to read:

25.5-8-103. Definitions. As used in this article, unless the context otherwise requires:

(4) "Eligible person" means:

(b) A pregnant woman whose family income does not exceed two hundred five percent of the federal poverty level, adjusted for family size, and who is not eligible

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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.

for medicaid; EXCEPT THAT, SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT MAY INCREASE THE PERCENTAGE OF THE FEDERAL POVERTY LEVEL FOR PURPOSES OF ELIGIBILITY TO UP TO TWO HUNDRED FIFTY PERCENT.

SECTION 3. 25.5-8-103 (4) (b), Colorado Revised Statutes, as it will become effective October 1, 2009, is amended to read:

25.5-8-103. Definitions. As used in this article, unless the context otherwise requires:

(4) "Eligible person" means:

(b) A pregnant woman whose family income does not exceed two hundred ~~twenty-five~~ FIVE percent of the federal poverty level, adjusted for family size, and who is not eligible for medicaid; except that, subject to available appropriations, the department may increase the percentage of the federal poverty level for purposes of eligibility to up to two hundred fifty percent.

SECTION 4. Section 6 (2), (4), and (5) of chapter 404, Session Laws of Colorado 2008, are amended to read:

Section 6. **Appropriation.** (2) ~~In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, indigent care program, for the children's basic health plan trust, for the fiscal year beginning July 1, 2008, the sum of thirty thousand three hundred twenty-eight dollars ($30,328) cash funds, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from annual enrollment fees paid by families participating in the program.~~

(4) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, indigent care program, for children's basic health plan premium costs, for the fiscal year beginning July 1, 2008, the sum of ~~two million sixty-four thousand six hundred twenty-one dollars ($2,064,621)~~ ONE MILLION THIRTY-FIVE THOUSAND EIGHT HUNDRED FORTY-TWO DOLLARS ($1,035,842), or so much thereof as may be necessary, for the implementation of this act. Of said sum, ~~one million five hundred seventy-seven thousand two hundred fifty-eight dollars ($1,577,258)~~ FIVE HUNDRED SEVENTY-EIGHT THOUSAND EIGHT HUNDRED SEVEN DOLLARS ($578,807) shall be from the children's basic health plan trust fund created in section 25.5-8-105 (1), Colorado Revised Statutes, AND four hundred fifty-seven thousand thirty-five dollars ($457,035) shall be from the health care expansion fund created in section 24-22-117 (2) (a) (I), Colorado Revised Statutes. ~~and thirty thousand three hundred twenty-eight dollars ($30,328) shall be reappropriated funds from enrollment fees appropriated to the children's basic health plan trust fund created in section 25.5-8-105 (1), Colorado Revised Statutes.~~ In addition to said appropriation, the general assembly anticipates that the department of health care policy and financing will receive ~~three million seven hundred seventy-seven thousand nine hundred seventy-one dollars ($3,777,971)~~ ONE MILLION NINE HUNDRED TWENTY-THREE THOUSAND SEVEN HUNDRED FOUR DOLLARS ($1,923,704) OF federal funds in the fiscal year beginning July 1, 2008, 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.

(5) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, indigent care program, for children's basic health plan dental costs, for the fiscal year beginning July 1, 2008, the sum of ninety-eight thousand eight hundred forty-five dollars ($98,845) cash funds, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from the children's basic health plan trust fund created in section 25.5-8-105 (1), Colorado Revised Statutes. In addition to said appropriation, the general assembly anticipates that the department of health care policy and financing will receive one hundred eighty-three thousand five hundred seventy dollars ($183,570) federal funds in the fiscal year beginning July 1, 2008, 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 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: February 26, 2009