

CHAPTER 214

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 10-1379

BY REPRESENTATIVE(S) Ferrandino, Pommer, Lambert;
also SENATOR(S) White, Keller, Tapia.

AN ACT

CONCERNING A REDUCTION IN THE GENERAL FUND PORTION OF THE PER DIEM RATES PAID TO NURSING FACILITIES FOR THE 2010-11 FISCAL YEAR, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 25.5-6-202 (9) (b) (III), as enacted by House Bill 10-1324, is amended to read:

25.5-6-202. Providers - nursing facility provider reimbursement - rules - repeal. (9) (b) (III) Notwithstanding any other provision of law, commencing March 1, 2010, through June 30, ~~2011~~ 2010, the general fund portion of the ~~aggregate statewide average~~ per diem rate ~~net of patient payment~~ pursuant to subsections (1) to (4) of this section shall be reduced by one and one-half percent. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, COMMENCING JULY 1, 2010, THROUGH JUNE 30, 2011, THE GENERAL FUND PORTION OF THE PER DIEM RATE PURSUANT TO SUBSECTIONS (1) TO (4) OF THIS SECTION SHALL BE REDUCED BY TWO AND ONE-HALF PERCENT. The state department may, but is not required to, increase the supplemental medicaid payment pursuant to subparagraph (II) of this paragraph (b) due to this reduction; except that the provider fee shall not exceed the amount specified in section 25.5-6-203 (1) (a) (II).

SECTION 2. 25.5-6-202 (9) (b.7) (II), Colorado Revised Statutes, is amended to read:

25.5-6-202. Providers - nursing facility provider reimbursement - rules - repeal. (9) (b.7) Notwithstanding the provision of subparagraph (I) of paragraph (b) of this subsection (9):

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

(II) For the fiscal year commencing July 1, 2010, the general fund share of the aggregate statewide average of the per diem rate shall be limited to a ~~five-percent~~ ONE AND NINE-TENTHS PERCENT increase from the prior fiscal year.

SECTION 3. Appropriation - adjustments in the 2010 long bill. (1) For the implementation of this act, appropriations in the annual general appropriation act to the department of health care policy and financing, for the fiscal year beginning July 1, 2010, shall be adjusted as follows:

(a) The appropriation for medical service premiums is decreased by twelve million forty-one thousand thirty-two dollars (\$12,041,032). Of said sum, eight million two hundred eleven thousand three hundred thirty-three dollars (\$8,211,333) shall be from the general fund and three million eight hundred twenty-nine thousand six hundred ninety-nine dollars (\$3,829,699) shall be from federal funds.

(b) The cash funds appropriation for medical service premiums is increased by five million eight hundred six thousand three hundred forty-three dollars (\$5,806,343). Said sum shall be from the medicaid nursing facility cash fund created in section 25.5-6-203 (2) (a), Colorado Revised Statutes, and shall be subject to the (H) notation as defined in the general appropriation act.

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 6, 2010