

CHAPTER 265

HEALTH AND ENVIRONMENT

HOUSE BILL 11-1323

BY REPRESENTATIVE(S) Massey, Fields, Kefalas, Nikkel, Pace, Peniston, Riesberg, Schafer S., Solano, Stephens, Summers, Vigil, Wilson, Bradford, Coram, Court, Ferrandino, Priola, Ramirez, Swalm, Todd, McNulty;
also SENATOR(S) Boyd, Aguilar, Foster, Giron, Guzman, Heath, Hodge, Hudak, Jahn, King K., King S., Lundberg, Newell, Nicholson, Roberts, Schwartz, Shaffer B., Steadman, Tochtrop, White, Williams S.

AN ACT

CONCERNING AN EXEMPTION FROM STATE LICENSURE REQUIREMENTS FOR A COMMUNITY CLINIC THAT IS A RURAL HEALTH CLINIC, AND MAKING AN APPROPRIATION THEREFORE.

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

SECTION 1. 25-1.5-103 (2) (a.5), Colorado Revised Statutes, as enacted by House Bill 11-1101, is amended to read:

25-1.5-103. Health facilities - powers and duties of department - limitations on rules promulgated by department. (2) For purposes of this section, unless the context otherwise requires:

(a.5) "Community clinic" does not include:

(I) A federally qualified health center, as defined in section 1861 (aa) (4) of the federal "Social Security Act", 42 U.S.C. sec. 1395x (aa) (4);

(II) A RURAL HEALTH CLINIC, AS DEFINED IN SECTION 1861 (aa) (2) OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa) (2).

SECTION 2. 25-3-101 (2) (a), Colorado Revised Statutes, as amended by House Bill 11-1101, is amended to read:

25-3-101. Hospitals - health facilities - licensed - definitions. (2) As used in this section, unless the context otherwise requires:

(a) "Community clinic" does not include:

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

(I) A federally qualified health center, as defined in section 1861 (aa) (4) of the federal "Social Security Act", 42 U.S.C. sec. 1395x (aa) (4).

(II) A RURAL HEALTH CLINIC, AS DEFINED IN SECTION 1861 (aa) (2) OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa) (2).

SECTION 3. 25.5-3-103 (3), Colorado Revised Statutes, as amended by House Bill 11-1101, is amended to read:

25.5-3-103. Definitions. As used in this part 1, unless the context otherwise requires:

(3) "General provider" means a general hospital, birth center, or community health clinic licensed or certified by the department of public health and environment pursuant to section 25-1.5-103 (1) (a) (I) or (1) (a) (II), C.R.S.; a federally qualified health center, as defined in section 1861 (aa) (4) of the federal "Social Security Act", 42 U.S.C. sec. 1395x (aa) (4); A RURAL HEALTH CLINIC, AS DEFINED IN SECTION 1861 (aa) (2) OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa) (2); a health maintenance organization issued a certificate of authority pursuant to section 10-16-402, C.R.S.; and the health sciences center when acting pursuant to section 25.5-3-108 (5) (a) (I) or (5) (a) (II) (A). For the purposes of the program, "general provider" includes associated physicians.

SECTION 4. Appropriation - adjustments in 2011 long bill. For the implementation of this act, the cash funds appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2011, to the department of public health and environment, division of health facilities and emergency medical services division, for health facilities general licensure program, is decreased by five hundred twenty-nine dollars (\$529). Said sum shall be from the health facilities general licensure cash fund created in section 25-3-103.1 (1), Colorado Revised Statutes.

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: June 2, 2011