

CHAPTER 271

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 11-1242

BY REPRESENTATIVE(S) Ferrandino, Casso, Court, Fischer, Gardner D., Hamner, Hullinghorst, Kagan, Kefalas, Labuda, Lee, Levy, Pace, Peniston, Riesberg, Ryden, Schafer S., Solano, Todd, Tyler, Vigil, Wilson, Fields, Jones, Williams A.; also SENATOR(S) Nicholson, Aguilar, Boyd, Giron, Heath, Hodge, Morse, Newell, Roberts, Schwartz, Steadman, Williams S.

AN ACT

CONCERNING THE PROVISION OF INTEGRATED HEALTH CARE SERVICES PURSUANT TO THE COLORADO MEDICAL ASSISTANCE PROGRAM, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Part 4 of article 4 of title 25.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

25.5-4-418. Integration of physical and behavioral health services - department review - report - repeal. (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) AN INTEGRATED APPROACH TO HEALTH CARE ADDRESSES THE MENTAL HEALTH, INCLUDING SUBSTANCE USE DISORDER, ORAL HEALTH, AND PHYSICAL HEALTH NEEDS OF A PATIENT AT THE TIME HEALTH CARE SERVICES ARE PROVIDED;

(II) INTEGRATION OF PHYSICAL, ORAL, AND BEHAVIORAL HEALTH CARE SERVICES REDUCES COSTS, IMPROVES PATIENT HEALTH OUTCOMES, AND CREATES A SEAMLESS CONTINUUM OF CARE FOR THE PATIENT; AND

(III) VARIOUS HEALTH CARE REFORM INITIATIVES ARE BEING STUDIED OR IMPLEMENTED IN COLORADO, INCLUDING ACCOUNTABLE CARE ORGANIZATIONS, MEDICAL HOMES, HEALTH HOMES FOR CHRONIC CONDITIONS, AND REGIONAL CARE COORDINATION ORGANIZATIONS, ALL OF WHICH SEEK TO IMPROVE THE INTEGRATION OF HEALTH CARE SERVICES.

(b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT CURRENT REIMBURSEMENT POLICIES FOR PROVIDERS PROVIDING PHYSICAL AND BEHAVIORAL

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

HEALTH CARE SERVICES ON THE SAME DAY ARE COMPLICATED AND THE POLICIES CREATE A BARRIER TO THE SEAMLESS INTEGRATION OF THESE SERVICES FOR THE WELL-BEING OF THE PATIENT.

(2) THE STATE DEPARTMENT SHALL SEEK INPUT FROM BEHAVIORAL HEALTH ORGANIZATIONS, COMMUNITY MENTAL HEALTH CENTERS, AND PRIMARY CARE PROVIDERS, AS WELL AS ANY OTHER HEALTH CARE PROVIDERS AS DETERMINED BY THE STATE DEPARTMENT, AND SHALL REVIEW THE FOLLOWING ISSUES:

(a) THE STATE AND FEDERAL STATUTES AND REGULATIONS AFFECTING THE INTEGRATED DELIVERY OF PHYSICAL AND BEHAVIORAL HEALTH, INCLUDING BUT NOT LIMITED TO STATUTES AND REGULATIONS RELATING TO PROVIDER REIMBURSEMENT, AND THE TIME AND PLACE OF DELIVERY OF HEALTH CARE SERVICES;

(b) ANY BARRIERS OR OBSTACLES TO THE DELIVERY OF INTEGRATED PHYSICAL AND BEHAVIORAL HEALTH CARE SERVICES;

(c) ANY REVISIONS TO STATE STATUTES OR REGULATIONS THAT WOULD FACILITATE THE INTEGRATION OF PHYSICAL AND BEHAVIORAL HEALTH CARE SERVICES; AND

(d) INCENTIVES FOR HEALTH CARE PROVIDERS THAT MAY INCREASE THE NUMBER OF PROVIDERS DELIVERING INTEGRATED HEALTH CARE SERVICES.

(3) THE STATE DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY, THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEE, AND THE HEALTH AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE:

(a) ON OR BEFORE APRIL 1, 2012, CONCERNING THE ISSUE SPECIFIED IN PARAGRAPH (c) OF SUBSECTION (2) OF THIS SECTION; AND

(b) ON OR BEFORE JUNE 30, 2012, CONCERNING THE REMAINING ISSUES SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 2. 25.5-6-108.5 (2) (b), Colorado Revised Statutes, is amended to read:

25.5-6-108.5. Community long-term care studies - authority to implement - alternative care facility report. (2) (b) The study conducted pursuant to this subsection (2) shall be completed by January 1, ~~2011~~ 2012, and, if federal approval is obtained prior to final figure-setting for the fiscal year commencing July 1, ~~2011~~ 2012, the state department shall submit a request through the budget process for implementation of the approved changes for that fiscal year.

SECTION 3. Appropriation. For the implementation of section 2 of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2011, to the department of health care policy and financing, for the executive director's office, for general professional services and special projects,

is increased by seventy-five thousand dollars (\$75,000). Of said sum, thirty-seven thousand five hundred dollars (\$37,500) shall be from cash funds from the department of health care policy and financing cash fund created in section 25.5-1-109, Colorado Revised Statutes, and thirty-seven thousand five hundred dollars (\$37,500) shall be from federal funds.

SECTION 4. Appropriation - adjustments in the 2011 long bill. For the implementation of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2011, to the department of health care policy and financing, for the executive director's office, for general professional services and special projects, is increased by thirty-eight thousand five hundred dollars (\$38,500). Of said sum, nineteen thousand two hundred fifty dollars (\$19,250) shall be cash funds from the department of health care policy and financing cash fund created in section 25.5-1-109, Colorado Revised Statutes, and nineteen thousand two hundred fifty dollars (\$19,250) shall be from federal funds.

SECTION 5. Effective date. (1) This act shall take effect July 1, 2011.

(2) Notwithstanding the provisions of subsection (1) of this section, section 3 of this act shall only take effect if House Bill 11-1217 is not enacted and does not become law or if House Bill 11-1217 as enacted and made law does not include an appropriation to the department of health care policy and financing, for the executive director's office, for general professional services and special projects, for the implementation of section 25.5-6-108.5, Colorado Revised Statutes, in the amount of seventy-five thousand dollars (\$75,000).

SECTION 6. 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