

CHAPTER 143

GOVERNMENT - STATE

HOUSE BILL 12-1339

BY REPRESENTATIVE(S) Becker, Gerou, Levy, Fischer, Labuda, Ryden, Tyler, Wilson, Fields;
also SENATOR(S) Lambert, Hodge, Steadman, Boyd, Nicholson, Tochtrop.

AN ACT

**CONCERNING THE COLORADO BENEFITS MANAGEMENT SYSTEM IMPROVEMENT AND
MODERNIZATION PROJECT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

SECTION 1. In Colorado Revised Statutes, 24-37.5-106, **amend** (1) (r) and (1) (s); and **add** (1) (t) as follows:

24-37.5-106. Chief information officer - duties and responsibilities - broadband inventory fund created - repeal. (1) The chief information officer shall:

(r) In consultation with the government data advisory board created in section 24-37.5-703, adopt rules and procedures for responding to data requests submitted by an entity outside of state government; ~~and~~

(s) In consultation with the government data advisory board created in section 24-37.5-703, adopt a schedule of fees that the office may charge to state agencies to supervise and administer interdepartmental and external data requests, that a state agency may charge another state agency in responding to an interdepartmental data request, and that a state agency may charge to respond to a data request submitted by an entity outside of state government. The chief information officer shall ensure that the amount of the fees does not exceed the direct and indirect costs incurred by the office or by the state agency that is responding to a data request; AND

(t) (I) **MONITOR THE COLORADO BENEFITS MANAGEMENT SYSTEM IMPROVEMENT AND MODERNIZATION PROJECT AND REPORT QUARTERLY TO THE JOINT BUDGET COMMITTEE PURSUANT TO THE PROVISIONS OF SECTION 24-37.5-113.**

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(II) THIS PARAGRAPH (t) IS REPEALED, EFFECTIVE JULY 1, 2014.

SECTION 2. In Colorado Revised Statutes, **add** 24-37.5-113 as follows:

24-37.5-113. Colorado benefits management system improvement and modernization project - appropriation - reporting - repeal. (1) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS FOR THE COLORADO BENEFITS MANAGEMENT SYSTEM IMPROVEMENT AND MODERNIZATION PROJECT, REFERRED TO IN THIS SECTION AS THE "CBMS PROJECT".

(2) (a) COMMENCING JUNE 1, 2012, AND CONTINUING ON A QUARTERLY BASIS, THEREAFTER, INCLUDING SEPTEMBER 1, DECEMBER 1, AND MARCH 1 OF EACH YEAR, THE CHIEF INFORMATION OFFICER SHALL REPORT TO THE JOINT BUDGET COMMITTEE, PURSUANT TO THE PROVISIONS OF SECTION 24-1-136, CONCERNING THE CBMS PROJECT. EACH QUARTERLY REPORT SHALL INCLUDE THE INFORMATION DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

(3) EACH QUARTERLY REPORT SHALL INCLUDE:

(a) AN OVERVIEW OF THE MANAGEMENT STRUCTURE IN THE GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY FOR THE CBMS PROJECT, INCLUDING LEADERSHIP, PROJECT MANAGEMENT, AND INTERNAL OVERSIGHT;

(b) AN OVERVIEW OF THE CBMS PROJECT WORK PLAN, INCLUDING:

(I) A LIST OF ALL SCHEDULED PROJECT COMPONENTS;

(II) THE ACTUAL OR ANTICIPATED START AND END DATES FOR EACH PROJECT COMPONENT;

(III) THE AMOUNT BUDGETED FOR EACH PROJECT COMPONENT; AND

(IV) THE AMOUNT EXPENDED FOR EACH PROJECT COMPONENT;

(c) A LIST AND DESCRIPTION OF ANY MAJOR CHANGES, ADDITIONS, DELETIONS, OR MODIFICATIONS TO PROJECT COMPONENTS;

(d) AN OVERVIEW OF THE PROJECT STATUS INDICATOR FOR EACH COMPONENT OF THE PROJECT WORK PLAN CURRENTLY COMPLETED, IN PROGRESS, OR SCHEDULED TO COMMENCE WITHIN THE QUARTER FOLLOWING THE DATE OF THE REPORT, INCLUDING:

(I) OVERALL PROJECT STATUS;

(II) SCOPE OF PROJECT;

(III) RESOURCES OF PROJECT;

(IV) BUDGET OF PROJECT;

(V) RISK OF PROJECT;

(VI) SCHEDULE OF PROJECT; AND

(VII) DELIVERABLES OF PROJECT;

(e) A DETAILED UPDATE FOR EACH COMPONENT OF THE PROJECT WORK PLAN CURRENTLY COMPLETED, IN PROGRESS, OR SCHEDULED TO COMMENCE WITHIN THE QUARTER FOLLOWING THE DATE OF THE REPORT, INCLUDING, FOR EACH COMPONENT:

(I) THE RATING;

(II) THE PERCENTAGE COMPLETE;

(III) DESCRIPTIVE INFORMATION ON THE OVERALL STATUS;

(IV) SCHEDULE STATUS;

(V) SCOPE STATUS;

(VI) BUDGET STATUS;

(VII) KEY ACCOMPLISHMENTS ASSOCIATED WITH THE COMPONENT;

(VIII) WORK PLAN FOR THE NEXT QUARTER;

(IX) CRITICAL DEPENDENCIES ASSOCIATED WITH THE COMPONENT;

(X) ISSUES AND CONCERNS RELATING TO THE COMPONENT; AND

(XI) HOW THE PROJECT COMPONENT IS AFFECTING OR WILL AFFECT THE DELIVERY OF STATE-SUPERVISED PUBLIC ASSISTANCE PROGRAMS FACILITATED BY THE CBMS, COUNTY DEPARTMENT STAFF, AND CITIZENS APPLYING FOR OR ENROLLED IN STATE-SUPERVISED PUBLIC ASSISTANCE PROGRAMS.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.

SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2011, the sum of \$3,654,755, or so much thereof as may be necessary, for allocation to department of human services medicaid-funded programs, office of information technology services-medicaid funding for Colorado benefits management system modernization expenses related to the implementation of this act. Of said sum, \$1,820,992 is from the general fund, \$6,398 is from the old age pension fund pursuant to section 7 (c) of article XXIV of the state constitution, \$2,123 is from the children's basic health plan trust created in section 25.5-8-105 (1), Colorado Revised Statutes, and \$1,825,242 is from federal funds. Any funds appropriated in this subsection (1) not expended prior to July 1, 2012, are further appropriated to the department in FY 2012-13 for the same purposes.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for the fiscal year beginning July 1, 2011, the sum of \$8,950,260, or so much thereof as may be necessary, for allocation to the office

of information technology services for Colorado benefits management system modernization contract expenses related to the implementation of this act. Of said sum, \$3,845,866 is from the general fund, \$199,942 is from the old age pension fund created in section 1 of article XXIV of the state constitution, \$3,654,755 is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (1) of this section, and \$1,249,697 is from federal funds from the U.S. department of agriculture for the supplemental nutrition assistance program. Any funds appropriated in this subsection (2) not expended prior to July 1, 2012, are further appropriated to the department in FY 2012-13 for the same purposes.

(3) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2011, the sum of \$8,950,260, or so much thereof as may be necessary, for allocation to the office of information technology for Colorado benefits management system modernization contract expenses related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of human services out of the appropriation made in subsection (2) of this section. Any funds appropriated in this subsection (3) not expended prior to July 1, 2012, are further appropriated to the department in FY 2012-13 for the same purposes.

SECTION 4. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, from reappropriated funds received from the department of human services out of the appropriation made in subsection (7) of this section, to the department of health care policy and financing, for the fiscal year beginning July 1, 2012, the sum of \$997,655 and 11.0 FTE, or so much thereof as may be necessary, to be allocated to the executive director's office, general administration, for the implementation of this act as follows:

- (a) \$825,119 and 11.0 FTE for personal services;
- (b) \$56,737 for health, life, and dental;
- (c) \$1,309 for short-term disability;
- (d) \$26,194 for S.B. 04-257 amortization equalization disbursement;
- (e) \$23,500 for S.B. 06-235 supplemental amortization equalization disbursement; and
- (f) \$64,796 for operating expenses.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2012, the sum of \$7,630,836, or so much thereof as may be necessary, for allocation to department of human services medicaid-funded programs, office of information technology services-medicaid funding, for Colorado benefits management system modernization expenses related to the implementation of this act. Of said sum, \$3,307,395 is from the general fund, \$8,039 is from the old age pension fund pursuant to section 7 (c) of article XXIV of the state constitution, \$2,669 is from the

children's basic health plan trust created in section 25.5-8-105 (1), Colorado Revised Statutes, and \$4,312,733 is from federal funds.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for the fiscal year beginning July 1, 2012, the sum of \$107,740, or so much thereof as may be necessary, for the implementation of this act. Of said sum, \$40,919 is from the general fund, \$3,732 is from various sources of cash funds, \$39,762 is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section, and \$23,327 is from federal funds from the U.S. department of agriculture for the supplemental nutrition assistance program. Said sum is to be allocated to the executive director's office, general administration, as follows:

(a) \$56,733 for health, life, and dental;

(b) \$1,310 for short-term disability;

(c) \$26,196 for S.B. 04-257 amortization equalization disbursement; and

(d) \$23,501 for S.B. 06-235 supplemental amortization equalization disbursement.

(4) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for the fiscal year beginning July 1, 2012, the sum of \$825,118 and 11.0 FTE, or so much thereof as may be necessary, for allocation to the office of information technology services, Colorado benefits management system modernization, for department of human services personal services expenses related to the implementation of this act. Of said sum, \$313,380 is from the general fund, \$28,582 is from the old age pension fund created in section 1 of article XXIV of the state constitution, \$304,510 is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section, and \$178,646 is from federal funds from the U.S. department of agriculture for the supplemental nutrition assistance program.

(5) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for the fiscal year beginning July 1, 2012, the sum of \$64,797, or so much thereof as may be necessary, for allocation to the office of information technology services, Colorado benefits management system modernization, for department of human services operating expenses related to the implementation of this act. Of said sum, \$24,610 is from the general fund, \$2,245 is from the old age pension fund created in section 1 of article XXIV of the state constitution, \$23,913 is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section, and \$14,029 is from federal funds from the U.S. department of agriculture for the supplemental nutrition assistance program.

(6) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for the fiscal year beginning July 1, 2012, the sum of \$12,279,762, or so much thereof as may be necessary, for allocation to the office of information technology services, Colorado benefits management system modernization, for contract expenses related to the implementation of this act. Of

said sum, \$2,950,265 is from the general fund, \$182,116 is from the old age pension fund created in section 1 of article XXIV of the state constitution, \$7,894,467 is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section, and \$1,252,914 is from federal funds from the U.S. department of agriculture for the supplemental nutrition assistance program.

(7) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for the fiscal year beginning July 1, 2012, the sum of \$997,655, or so much thereof as may be necessary, for allocation to the office of information technology services, Colorado benefits management system modernization, for department of health care policy and financing personal services, operating, and centrally appropriated expenses related to the implementation of this act. Of said sum, \$378,909 is from the general fund, \$34,559 is from the old age pension fund created in section 1 of article XXIV of the state constitution, \$368,184 is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section, and \$216,003 is from federal funds from the U.S. department of agriculture for the supplemental nutrition assistance program.

(8) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$12,279,762, or so much thereof as may be necessary, for allocation to the office of information technology for Colorado benefits management system modernization contract expenses related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of human services out of the appropriation made in subsection (6) of this section.

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 3, 2012