

## CHAPTER 255

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**HUMAN SERVICES - SOCIAL SERVICES**

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**HOUSE BILL 14-1358**

BY REPRESENTATIVE(S) Young and Joshi, Primavera, Schafer, Tyler, Buckner, Ginal, Kraft-Tharp, May, Mitsch Bush, Rosenthal, Ryden, Vigil;  
also SENATOR(S) Aguilar, Crowder, Heath, Herpin, Johnston, Kefalas, Kerr, King, Newell, Nicholson, Rivera, Roberts, Schwartz, Tochtrop, Todd, Zenzinger, Carroll.

**AN ACT**

**CONCERNING CONTINUATION OF IN-HOME SUPPORT SERVICES, AND, IN CONNECTION THEREWITH, AUTHORIZING IN-HOME SUPPORT SERVICES FOR SPINAL CORD INJURY WAIVER PILOT PROGRAM PARTICIPANTS.**

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

**SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal** (45.5) (a); and **add** (50.5) (j) as follows:

**24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.** (45.5) The following agencies, functions, or both, shall terminate on September 1, 2014:

(a) ~~In-home support services, established pursuant to part 12 of article 6 of title 25.5, C.R.S.~~

(50.5) The following agencies, functions, or both, terminate on September 1, 2019:

(j) IN-HOME SUPPORT SERVICES, ESTABLISHED PURSUANT TO PART 12 OF ARTICLE 6 OF TITLE 25.5, C.R.S.;

**SECTION 2.** In Colorado Revised Statutes, **amend** 25.5-6-1201 as follows:

**25.5-6-1201. Legislative declaration.** The general assembly finds that there may be a more effective way to deliver home- and community-based services to the elderly, blind, and disabled, ~~and~~ to disabled children, AND TO PERSONS WITH SPINAL

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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.*

CORD INJURIES, that allows for more self direction in their care and a cost savings to the state. The general assembly also finds that every person that is currently receiving home- and community-based services does not need the same level of supervision and care from a licensed health care professional in order to meet his or her care needs and remain living in the community. The general assembly, therefore, declares that it is beneficial to the elderly, blind, and disabled clients of home- and community-based services, ~~and~~ to clients of the disabled children care program, AND TO CLIENTS ENROLLED IN THE SPINAL CORD INJURY WAIVER PILOT PROGRAM, for the state department to develop a service that would allow these people to receive in-home support.

**SECTION 3.** In Colorado Revised Statutes, 25.5-6-1202, **amend** (3) (a) as follows:

**25.5-6-1202. Definitions.** As used in this part 12, unless the context otherwise requires:

(3) "Eligible person" means any person who:

(a) Is ~~eligible for~~ ENROLLED IN home- and community-based services ~~under~~ PURSUANT TO ~~part 3 of this article~~, IS ENROLLED IN THE SPINAL CORD INJURY WAIVER PILOT PROGRAM PURSUANT TO PART 13 OF THIS ARTICLE, or is ~~eligible for~~ ENROLLED IN the disabled children care program ~~under~~ PURSUANT TO section 25.5-6-901;

**SECTION 4.** In Colorado Revised Statutes, **amend** 25.5-6-1207 as follows:

**25.5-6-1207. Repeal of part.** This part 12 is repealed, effective September 1, ~~2014~~ 2019. Prior to such repeal, in-home support services established under this part 12 shall be reviewed as provided for in section 24-34-104, C.R.S.

**SECTION 5. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 22, 2014