

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0788.01 Jerry Barry

HOUSE BILL 15-1151

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HOUSE SPONSORSHIP

**Rankin**, Hamner, Young

SENATE SPONSORSHIP

**Lambert**, Grantham, Steadman

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**House Committees**

Health, Insurance, & Environment  
Appropriations

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING REIMBURSEMENT RATES UNDER THE COLORADO  
102 MEDICAL ASSISTANCE ACT, AND, IN CONNECTION THEREWITH,  
103 MAKING AN APPROPRIATION.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

**Joint Budget Committee.** Current law authorizes the medical services board by rule to establish payment rates for services under medicaid. The bill requires those rates to be not less than 60% of:

- ! The rate for the equivalent service under medicare; or
- ! If there is no equivalent medicare rate, the average fair

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

market rate for the service.

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

2           **SECTION 1.** In Colorado Revised Statutes, 25.5-4-401, add (1)  
3 (b.5) as follows:

4           **25.5-4-401. Providers - payments - rules.** (1) (b.5) (I) ON AND  
5 AFTER JULY 1, 2015, THE STATE DEPARTMENT RULES PROMULGATED FOR  
6 THE PAYMENT OF PROVIDERS UNDER THIS ARTICLE AND ARTICLES 5 AND  
7 6 OF THIS TITLE MUST PROVIDE THAT PAYMENT RATES FOR SERVICES ARE  
8 NOT LESS THAN SIXTY PERCENT OF:

9           (A) THE RATE FOR THE EQUIVALENT SERVICE UNDER MEDICARE,  
10 TITLE XVIII OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED; OR

11           (B) IF THE SERVICE DOES NOT HAVE AN EQUIVALENT MEDICARE  
12 RATE, THE AVERAGE FAIR MARKET RATE FOR THE SERVICE.

13           (II) IF ANY PROVISION OF THIS PARAGRAPH (B.5) IS FOUND TO BE  
14 IN CONFLICT WITH ANY FEDERAL LAW OR REGULATION, SUCH CONFLICTING  
15 PORTION OF THIS PARAGRAPH (B.5) IS DECLARED TO BE INOPERATIVE TO  
16 THE EXTENT OF THE CONFLICT.

17           **SECTION 2. Appropriation.** For the 2015-16 state fiscal year,  
18 \$\_\_\_\_\_ is appropriated to the department of health care policy and  
19 financing for medical services premiums. This appropriation consists of  
20 \$\_\_\_\_\_ from the general fund, \$\_\_\_\_\_ from the \_\_\_\_\_ fund created in  
21 section \_\_\_\_\_, C.R.S., and \$\_\_\_\_\_ federal funds. To implement this act,  
22 the department may use this appropriation for any provider rate increases  
23 necessary to comply with the minimum standards in section 25.5-4-401  
24 (1) (b.5) (I), C.R.S.

25           **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.