

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 13-1152

BY REPRESENTATIVE(S) Levy and Gerou, Duran, Ginal, Labuda, Melton, Vigil, Young;  
also SENATOR(S) Hodge, Steadman, Lambert.

CONCERNING THE GENERAL FUND PORTION OF THE PER DIEM RATES PAID TO NURSING FACILITIES, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 25.5-6-202, **amend** (9) (b) (V); **repeal** (9) (b) (III) and (9) (b) (IV); and **add** (9) (b) (VI) as follows:

**25.5-6-202. Providers - nursing facility provider reimbursement - rules - repeal.** (9) (b) (III) ~~Notwithstanding any other provision of law, commencing March 1, 2010, through June 30, 2010, the general fund portion of the per diem rate pursuant to subsections (1) to (4) of this section shall be reduced by one and one-half percent. Notwithstanding any other provision of law, commencing July 1, 2010, through June 30, 2011, the general fund portion of the per diem rate pursuant to subsections (1) to (4) of this section shall be reduced by two and one-half percent. The state department may, but is not required to, increase the supplemental medicaid payment pursuant to subparagraph (II) of this paragraph (b) due to this~~

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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.*

~~reduction; except that the provider fee shall not exceed the amount specified in section 25.5-6-203 (1) (a) (H).~~

~~(IV) Notwithstanding any other provision of law, commencing July 1, 2011, through June 30, 2012, the general fund portion of the per diem rate pursuant to subsections (1) to (4) of this section shall be reduced by one and one-half percent. The state department may, but is not required to, increase the supplemental medicaid payment pursuant to subparagraph (H) of this paragraph (b) due to this reduction; except that the provider fee shall not exceed the amount specified in section 25.5-6-203 (1) (a) (H).~~

(V) (A) Notwithstanding any other provision of law, commencing July 1, 2012, through June 30, 2013, the general fund portion of the per diem rate pursuant to subsections (1) to (4) of this section shall be reduced by one and one-half percent. The state department may, but is not required to, increase the supplemental medicaid payment pursuant to subparagraph (II) of this paragraph (b) due to this reduction; except that the provider fee shall not exceed the amount specified in section 25.5-6-203 (1) (a) (II).

(B) THIS SUBPARAGRAPH (V) IS REPEALED, EFFECTIVE JULY 1, 2014.

(VI) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND EACH FISCAL YEAR THEREAFTER, THE GENERAL FUND PORTION OF THE PER DIEM RATE PURSUANT TO SUBSECTIONS (1) TO (4) OF THIS SECTION SHALL BE REDUCED BY ONE AND ONE-HALF PERCENT. THE STATE DEPARTMENT MAY, BUT IS NOT REQUIRED TO, INCREASE THE SUPPLEMENTAL MEDICAID PAYMENT PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) DUE TO THIS REDUCTION; EXCEPT THAT THE PROVIDER FEE SHALL NOT EXCEED THE AMOUNT SPECIFIED IN SECTION 25.5-6-203 (1) (a) (II).

**SECTION 2. Appropriation - adjustments to 2013 long bill.**

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for medical service premiums for the fiscal year beginning July 1, 2013, are adjusted as follows:

(a) The general fund appropriation is decreased by \$4,867,854.

(b) The federal funds appropriation is decreased by \$4,867,854.

**SECTION 3. 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.

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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John P. Morse  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO