

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0748.01 Brita Darling x2241

HOUSE BILL 13-1196

HOUSE SPONSORSHIP

Stephens,

SENATE SPONSORSHIP

(None),

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REPORTING RELATING TO THE MEDICAID COORDINATED
102 CARE SYSTEM.

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/billsummaries>.)

The bill requires the state department of health care policy and financing (state department) to report to the health care committees of the general assembly, biannually, regarding specific efforts within the regional care collaborative organizations (RCCOs), including primary care medical providers, the statewide data and analytics contractor, and

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.

others who provide medical care within the region, to identify and implement best practices relating to cost-containment and reducing avoidable, duplicative, variable, and inappropriate use of health care resources, and to combat client or provider fraud. The report will also include an analysis of recurring incidences of inappropriate use of health care resources and practices to prevent these incidences that may be implemented across the system.

The report will also provide information regarding technology being employed by each RCCO, including the use of electronic medical records, and information concerning any statutes or policies that prevent a RCCO from realizing efficiencies and reducing waste within the system.

The reporting requirement repeals after a specified period of time.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25.5-5-417 as
3 follows:

4 **25.5-5-417. Regional coordinated care system - fraud and**
5 **cost-containment report - legislative declaration - repeal.** (1) (a) THE
6 GENERAL ASSEMBLY FINDS AND DECLARES THAT:

7 (I) THE STATE DEPARTMENT HAS CREATED A MEDICAID
8 COORDINATED CARE SYSTEM KNOWN AND REFERRED TO IN THIS SECTION
9 AS THE "ACCOUNTABLE CARE COLLABORATIVE" TO PROVIDE CARE
10 COORDINATION FOR COLORADO'S MEDICAID PROGRAM;

11 (II) ONE OF THE PRIMARY GOALS OF THE ACCOUNTABLE CARE
12 COLLABORATIVE IS TO REDUCE COSTS TO THE MEDICAID PROGRAM
13 THROUGH COORDINATION BETWEEN THE PRIMARY CARE MEDICAL
14 PROVIDERS, THE REGIONAL CARE COORDINATION PROVIDER, AND THE
15 STATEWIDE DATA AND ANALYTICS CONTRACTOR;

16 (III) THE STATE DEPARTMENT HAS ENTERED INTO CONTRACTS
17 WITH REGIONAL PROVIDERS FOR THE ACCOUNTABLE CARE
18 COLLABORATIVE;

1 (IV) THESE REGIONAL CARE COLLABORATIVE ORGANIZATIONS,
2 REFERRED TO IN THIS SECTION AS "RCCOs", RECEIVE A PER-MEMBER,
3 PER-MONTH PAYMENT TO SUPPORT PRIMARY CARE MEDICAL PROVIDERS
4 AND TO PROVIDE MEMBER CARE COORDINATION; AND

5 (V) DESPITE CARE COORDINATION AND ACCOUNTABILITY EFFORTS,
6 THERE REMAINS WITHIN THE MEDICAID SYSTEM PROVIDER AND CLIENT
7 FRAUD, WASTE, AND DUPLICATION OF SERVICES THAT ARE INCREASING
8 STATE MEDICAID COSTS AND PREVENTING MAXIMUM EFFICIENCY IN THE
9 MEDICAID SYSTEM.

10 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT, IN AN
11 EFFORT TO BRING GREATER TRANSPARENCY TO COST-CONTAINMENT
12 EFFORTS BY THE RCCOs, THE STATE DEPARTMENT SHALL REPORT
13 BIANNUALLY TO THE GENERAL ASSEMBLY CONCERNING EFFORTS TO
14 REDUCE WASTE, FRAUD, AND DUPLICATION WITHIN EACH RCCO.

15 (2) COMMENCING SEPTEMBER 1, 2013, AND EACH MARCH 1 AND
16 SEPTEMBER 1 THEREAFTER TO MARCH 1, 2018, PURSUANT TO SECTION
17 24-1-136 (9), C.R.S., THE STATE DEPARTMENT SHALL REPORT TO THE
18 PUBLIC HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF
19 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE, AND TO THE HEALTH
20 AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
21 COMMITTEE, CONCERNING THE FOLLOWING:

22 (a) THE SPECIFIC EFFORTS WITHIN EACH RCCO, INCLUDING THE
23 PRIMARY CARE MEDICAL PROVIDERS, THE STATEWIDE DATA AND
24 ANALYTICS CONTRACTOR, VENDORS, HOSPITALS, MEDICAL SPECIALTY
25 PROVIDERS, AND ANY OTHER ENTITIES INVOLVED IN PROVIDING CARE TO
26 MEDICAID CLIENTS WITHIN THE REGION, TO IDENTIFY AND IMPLEMENT
27 BEST PRACTICES RELATING TO COST-CONTAINMENT, REDUCING

1 AVOIDABLE, DUPLICATIVE, VARIABLE, AND INAPPROPRIATE USE OF HEALTH
2 CARE RESOURCES, AND COMBATING CLIENT OR PROVIDER FRAUD, AND THE
3 OUTCOME OF THOSE EFFORTS;

4 (b) AN ANALYSIS OF THE CAUSE OF ANY RECURRING INCIDENCES
5 OF AVOIDABLE, DUPLICATIVE, VARIABLE, OR INAPPROPRIATE USE OF
6 HEALTH CARE RESOURCES WITHIN EACH RCCO AND BEST PRACTICES TO
7 PREVENT THESE INCIDENCES THAT MAY BE IMPLEMENTED ACROSS THE
8 ACCOUNTABLE CARE COLLABORATIVE;

9 (c) TECHNOLOGY BEING EMPLOYED TO CONTAIN COSTS AND
10 REDUCE AVOIDABLE, DUPLICATIVE, AND UNNECESSARY SERVICES,
11 INCLUDING THE USE OF ELECTRONIC RECORDS;

12 (d) ANY STATUTES OR POLICIES OR PROCEDURES THAT PREVENT
13 THE RCCOs FROM REALIZING EFFICIENCIES AND REDUCING WASTE WITHIN
14 THE MEDICAID SYSTEM; AND

15 (e) ANY OTHER EFFORTS BY THE RCCOs OR THE STATE
16 DEPARTMENT TO ENSURE THAT THOSE WHO PROVIDE CARE FOR MEDICAID
17 CLIENTS ARE AWARE OF AND ACTIVELY PARTICIPATE IN REDUCING WASTE
18 WITHIN THE MEDICAID SYSTEM.

19 (3) THE STATE DEPARTMENT SHALL INDICATE ON ITS REPORT
20 CONCERNING EACH RCCO THE COUNTIES BEING SERVED BY EACH RCCO.

21 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 15, 2018.

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2014 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.