

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0739.01 Jerry Barry x4341

HOUSE BILL 12-1230

HOUSE SPONSORSHIP

Young,

SENATE SPONSORSHIP

Aguilar,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING STUDIES OF THE REDESIGN OF LONG-TERM SERVICES FOR
102 PERSONS WITH DEVELOPMENTAL DISABILITIES.

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>.)

Subject to the receipt of sufficient gifts, grants, and donations, the bill directs the department of health care policy and financing (department) to contract for one or more studies of redesigning the systems of providing long-term services and supports to persons with a developmental disability. The department will forward copies of reports

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.

of the studies to certain committees of the general assembly.

If a study finds that the redesign of the systems will result in cost savings or increased recipient satisfaction, the department is authorized to seek federal authorization to implement the changes and to seek changes in appropriations during the next budget cycle.

The bill repeals the new provision, effective July 1, 2015.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25.5-6-108.7 as
3 follows:

4 **25.5-6-108.7. Studies of redesigning the services and supports**
5 **systems for persons with developmental disabilities - authority to**
6 **implement - notice of funding through gifts, grants, and donations -**
7 **repeal.** (1) (a) SUBJECT TO THE RECEIPT OF SUFFICIENT MONEYS
8 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1), THE STATE
9 DEPARTMENT SHALL CONTRACT FOR ONE OR MORE STUDIES OF THE
10 REDESIGN OF SYSTEMS FOR PROVIDING SERVICES AND SUPPORTS TO
11 PERSONS WITH DEVELOPMENTAL DISABILITIES RECEIVING SERVICES UNDER
12 THIS ARTICLE. THE STATE DEPARTMENT SHALL MAKE NECESSARY DATA
13 AVAILABLE TO A CONTRACTOR. IN SELECTING A CONTRACTOR TO PERFORM
14 ANY STUDY CONDUCTED PURSUANT TO THIS SUBSECTION (1), THE STATE
15 DEPARTMENT IS NOT REQUIRED TO FOLLOW THE COMPETITIVE BIDDING
16 REQUIREMENTS OF THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF
17 TITLE 24, C.R.S. THE STATE DEPARTMENT SHALL PROVIDE COPIES OF ALL
18 STUDIES CONDUCTED PURSUANT TO THIS SUBSECTION (1) TO MEMBERS OF
19 THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY
20 SUCCESSOR COMMITTEE, TO MEMBERS OF THE HEALTH AND ENVIRONMENT
21 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
22 COMMITTEE, AND TO THE MEMBERS OF THE JOINT BUDGET COMMITTEE.

1 (b) IF A STUDY CONDUCTED PURSUANT TO THIS SUBSECTION (1)
2 CONCLUDES THAT CHANGES TO THE DESIGN OF THE SYSTEMS FOR
3 PROVIDING SERVICES AND SUPPORTS TO PERSONS WITH A DEVELOPMENTAL
4 DISABILITY WOULD RESULT IN COST SAVINGS AND BETTER RECIPIENT
5 SATISFACTION, THE STATE DEPARTMENT SHALL SEEK ANY NECESSARY
6 FEDERAL AUTHORIZATION TO IMPLEMENT THE CHANGES TO THE SYSTEMS.
7 IF FEDERAL AUTHORIZATION TO IMPLEMENT THE CHANGES IS OBTAINED,
8 THE STATE DEPARTMENT SHALL REQUEST, THROUGH THE STATE BUDGET
9 PROCESS, THAT THE CHANGES BE IMPLEMENTED.

10 (c) (I) THE STATE DEPARTMENT IS AUTHORIZED TO SEEK AND
11 ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE AND PUBLIC
12 SOURCES FOR THE PURPOSES OF THIS SUBSECTION (1); EXCEPT THAT THE
13 STATE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT
14 IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS
15 SUBSECTION (1) OR ANY OTHER LAW OF THE STATE. THE STATE
16 DEPARTMENT SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEYS
17 RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE
18 TREASURER, WHO SHALL CREDIT THE SAME TO THE DEPARTMENT OF
19 HEALTH CARE POLICY AND FINANCING CASH FUND CREATED IN SECTION
20 25.5-1-109.

21 (II) (A) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION,
22 THE STATE DEPARTMENT SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF
23 WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR
24 DONATIONS FOR THE PURPOSE OF THIS SUBSECTION (1) AND SHALL
25 INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION
26 24-75-1303 (3), C.R.S.

27 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,

1 2015.

2 (2) (a) SUBJECT TO THE RECEIPT OF SUFFICIENT MONEYS, ONE OF
3 THE STUDIES CONTRACTED PURSUANT TO SUBSECTION (1) OF THIS SECTION
4 SHALL INCLUDE RESEARCH AND ANALYSIS OF:

5 (I) THE CURRENT COLORADO SYSTEMS FOR SERVICES AND
6 SUPPORTS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES;

7 (II) THE BEST PRACTICES FOUND IN OTHER STATES FOR THE DESIGN
8 OF SERVICES TO PERSONS WITH DEVELOPMENTAL DISABILITIES THAT
9 RESULT IN THE BEST OUTCOMES;

10 (III) THE WAYS IN WHICH THE HOME- AND COMMUNITY-BASED
11 SERVICES WAIVERS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES CAN
12 BE REVISED TO BE MORE CONSUMER-DRIVEN IN ORDER TO PRODUCE
13 BETTER OUTCOMES; AND

14 (IV) THE RECOMMENDATIONS THAT MIGHT BE MADE ABOUT
15 REDESIGN OF COLORADO SYSTEMS FOR SERVICES AND SUPPORTS FOR
16 PERSONS WITH DEVELOPMENTAL DISABILITIES.

17 (b) THE STUDY CONDUCTED PURSUANT TO THIS SUBSECTION (2)
18 SHALL BE COMPLETED BY JANUARY 1, 2014, AND, IF FEDERAL APPROVAL
19 IS OBTAINED PRIOR TO FINAL FIGURE-SETTING FOR THE FISCAL YEAR
20 COMMENCING JULY 1, 2014, THE STATE DEPARTMENT SHALL SUBMIT A
21 REQUEST THROUGH THE BUDGET PROCESS FOR IMPLEMENTATION OF THE
22 APPROVED CHANGES FOR THAT FISCAL YEAR.

23 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2012 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.