

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0715.01 Shelby Ross x4510

SENATE BILL 25-121

SENATE SPONSORSHIP

Jodeh and Mullica,

HOUSE SPONSORSHIP

Gilchrist,

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEDICAID REIMBURSEMENT FOR OUTPATIENT**
102 **PROCEDURES RELATED TO DRUG-RESISTANT EPILEPSY.**

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://leg.colorado.gov>.)

Beginning July 1, 2025, the bill requires the department of health care policy and financing to reimburse acute care hospitals and ambulatory surgery facilities that provide vagus nerve stimulation therapy to members diagnosed with drug-resistant epilepsy at a rate that is equal to 75% of the cost for acquiring the vagus nerve stimulator device, which reimbursement is in addition to and does not supplant the reimbursement

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
Amended 2nd Reading
April 22, 2025

for any necessary surgical procedure associated with implanting the device.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25.5-4-434 as
3 follows:

4 **25.5-4-434. Reimbursement for vagus nerve stimulator device**
5 **- rule. (1) (a) NO LATER THAN JANUARY 1, 2026, THE STATE DEPARTMENT**
6 **SHALL SEEK FEDERAL AUTHORIZATION TO** REIMBURSE ACUTE CARE
7 HOSPITALS AND AMBULATORY SURGERY FACILITIES THAT PROVIDE VAGUS
8 NERVE STIMULATION THERAPY TO MEMBERS DIAGNOSED WITH
9 DRUG-RESISTANT EPILEPSY AT A RATE THAT IS EQUAL TO SIXTY PERCENT
10 OF THE COST FOR ACQUIRING THE VAGUS NERVE STIMULATOR DEVICE.

11 **(b) BEGINNING JANUARY 1, 2029, THE STATE DEPARTMENT SHALL**
12 **INCREASE THE REIMBURSEMENT PROVIDED PURSUANT TO SUBSECTION**
13 **(1)(a) OF THIS SECTION TO A RATE THAT IS EQUAL TO SEVENTY-FIVE**
14 **PERCENT OF THE COST FOR ACQUIRING THE VAGUS NERVE STIMULATOR**
15 **DEVICE.**

16 **(2) UPON RECEIVING FEDERAL AUTHORIZATION PURSUANT TO**
17 **SUBSECTION (1) OF THIS SECTION, THE STATE DEPARTMENT SHALL**
18 **IMPLEMENT THIS SECTION.**

19 **(3)** THE REIMBURSEMENT DESCRIBED IN SUBSECTION (1) OF THIS
20 SECTION IS IN ADDITION TO AND DOES NOT SUPPLANT THE REIMBURSEMENT
21 FOR ANY NECESSARY SURGICAL PROCEDURE ASSOCIATED WITH
22 IMPLANTING THE VAGUS NERVE STIMULATOR DEVICE.

23 **(4)** THE STATE DEPARTMENT SHALL ADOPT ANY RULES NECESSARY
24 TO IMPLEMENT THIS SECTION.

25 **SECTION 2. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions.