

First Extraordinary Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 25B-0015.01 Anna Petrini x5497

SENATE BILL 25B-007

---

SENATE SPONSORSHIP

Liston,

HOUSE SPONSORSHIP

(None),

---

Senate Committees

State, Veterans, & Military Affairs

House Committees

---

A BILL FOR AN ACT

101 CONCERNING LIMITING CERTAIN HEALTH-CARE COVERAGE THAT  
102 RELIES ON PUBLIC FUNDS, AND, IN CONNECTION THEREWITH,  
103 LIMITING ELIGIBILITY FOR CERTAIN STATE-SUBSIDIZED  
104 INDIVIDUAL HEALTH-CARE COVERAGE AND PROHIBITING STATE  
105 REIMBURSEMENT FOR MEDICAL SERVICES PROVIDED TO  
106 INDIVIDUALS WHO ARE NOT LAWFULLY RESIDING.

---

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>.)*

Current law extends health insurance coverage to various people,

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.

including low-income pregnant and postpartum people and children in low-income families, whose immigration status would otherwise make them ineligible for coverage under state-federal programs or would limit the coverage's scope or duration. Other expansions make state-subsidized individual health insurance coverage available for certain people, regardless of immigration status. The bill modifies several provisions related to these coverage expansions by:

- Prohibiting the department of health care policy and financing (HCPF) from reimbursing a health-care provider, entity, or facility for providing medical services to a person who is not a lawful resident;
- Eliminating full health insurance coverage for pregnant and postpartum people who would be eligible for medicaid or the children's basic health plan if not for their immigration status;
- Eliminating full health insurance coverage for children who would be eligible for medicaid or the children's basic health plan if not for their immigration status;
- Repealing the state reproductive health-care program, the medical assistance program, and the state children's basic health plan (state-funded programs) that were established to provide expanded coverage;
- Halting outreach to and enrollment of eligible groups into new coverage options;
- Removing HCPF's potential to spend in excess of an authorized amount for the state-funded programs; and
- Excluding immigrants who are not lawfully residing in the state from state-subsidized individual health insurance coverage available through the health insurance affordability enterprise.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 10-16-1203, **amend**  
3 (12) as follows:

4           **10-16-1203. Definitions.** As used in this part 12, unless the  
5 context otherwise requires:

6           (12) (a) "Qualified individual" means an individual ~~regardless of~~  
7 ~~immigration status~~, who:

8           ~~(a)~~ (I) Is a Colorado resident;

1           **(b)** (II) Has a household income of not more than three hundred  
2 percent of the federal poverty line; and

3           **(c)** (III) Is not eligible for the premium tax credit, medicaid,  
4 medicare, or the children's basic health plan. ~~except for individuals~~  
5 ~~eligible pursuant to section 25.5-5-201 (6) or section 25.5-8-109 (7).~~

6           (b) "QUALIFIED INDIVIDUAL" DOES NOT INCLUDE A PERSON WHO  
7 IS NOT A CITIZEN OR NATIONAL OF THE UNITED STATES OR WHO IS NOT  
8 LAWFULLY RESIDING AS DEFINED IN SECTION 25.5-4-103.

9           **SECTION 2.** In Colorado Revised Statutes, 24-75-109, **repeal**  
10 (1)(a.7) and (1)(a.8) as follows:

11           **24-75-109. Controller may allow expenditures in excess of**  
12 **appropriations - limitations - appropriations for subsequent fiscal**  
13 **year restricted - repeal.** (1) For the purpose of closing the state's books,  
14 and subject to the provisions of this section, the controller may, on or  
15 after May 1 of any fiscal year and before the forty-fifth day after the close  
16 thereof, upon approval of the governor, allow any department, institution,  
17 or agency of the state, including any institution of higher education, to  
18 make an expenditure in excess of the amount authorized by an item of  
19 appropriation for such fiscal year if:

20           (a.7) ~~The overexpenditure is by the department of health care~~  
21 ~~policy and financing for the state medical assistance program, established~~  
22 ~~pursuant to section 25.5-2-104; or~~

23           (a.8) ~~The overexpenditure is by the department of health care~~  
24 ~~policy and financing for the state children's basic health plan, established~~  
25 ~~pursuant to section 25.5-2-105; or~~

26           **SECTION 3.** In Colorado Revised Statutes, 25.5-1-201, **repeal**  
27 (1)(f.5) as follows:

1           **25.5-1-201. Programs to be administered by the department**  
2 **of health care policy and financing.** (1) The state department shall

3 administer the following programs and perform the following functions:

4           (f.5) ~~The reproductive health-care program that provides~~  
5 ~~reproductive health-care services, as specified in section 25.5-2-103;~~

6           **SECTION 4.** In Colorado Revised Statutes, **repeal** 25.5-2-103,  
7 25.5-2-104, and 25.5-2-105.

8           **SECTION 5.** In Colorado Revised Statutes, 25.5-4-201, **amend**  
9 (1) as follows:

10           **25.5-4-201. Cash system of accounting - financial**  
11 **administration of medical services premiums - medical programs**  
12 **administered by department of human services - federal**  
13 **contributions - rules.** (1) The state department shall utilize the cash  
14 system of accounting, as enunciated by the governmental accounting  
15 standards board, regardless of the source of revenues involved, for all  
16 activities of the state department relating to the financial administration  
17 of any nonadministrative expenditure that qualifies for federal financial  
18 participation under Title XIX of the federal "Social Security Act", ~~and for~~  
19 ~~the administration of the state-funded health and medical care program,~~  
20 ~~created pursuant to section 25.5-2-104, and for the state children's basic~~  
21 ~~health plan, created pursuant to section 25.5-2-105,~~ except for  
22 expenditures under the program for the medically indigent, article 3 of  
23 this title 25.5.

24           **SECTION 6.** In Colorado Revised Statutes, 25.5-4-503, **amend**  
25 (2) as follows:

26           **25.5-4-503. Waiver applications - authorization.** (2) The state  
27 department shall pursue and, if approved, implement a demonstration

1 waiver that authorizes the state to use federal medical assistance  
2 payments authorized pursuant to section 1903(v) of the federal "Social  
3 Security Act", as amended, in coordination with the division of insurance  
4 to enhance or expand a state-subsidized individual health coverage plan  
5 as defined in section 10-16-1203 (15). ~~and, only if needed to maximize~~  
6 ~~federal financial participation, for Coloradans receiving state medical~~  
7 ~~assistance pursuant to section 25.5-2-104 or 25.5-5-201 (6).~~ To the extent  
8 ~~such~~ THE federal funds are used to enhance or expand a state-subsidized  
9 individual health coverage plan, as defined in section 10-16-1203 (15),  
10 the health insurance affordability enterprise created pursuant to section  
11 10-16-1204 must receive, deposit into the health insurance affordability  
12 cash fund created in section 10-16-1206, and allocate the federal share of  
13 the medical assistance payments pursuant to section 10-16-1205 (2),  
14 subject to any conditions set forth in the approval of the waiver.

15 **SECTION 7.** In Colorado Revised Statutes, 25.5-5-103, **amend**  
16 (3)(a) as follows:

17 **25.5-5-103. Mandated programs with special state provisions**  
18 **- rules.** (3) (a) Emergency medical assistance ~~shall~~ **MUST** be provided to  
19 any person who is ~~not a citizen of the United States, including~~  
20 ~~undocumented aliens, aliens who are not qualified aliens, and qualified~~  
21 ~~aliens who entered the United States on or after August 22, 1996, who has~~  
22 A QUALIFIED ALIEN WITH an emergency medical condition and meets one  
23 of the categorical requirements set forth in section 25.5-5-101. ~~except that~~  
24 ~~such persons shall not be required to meet any residency requirement~~  
25 ~~other than that required by federal law.~~

26 **SECTION 8.** In Colorado Revised Statutes, **add** 25.5-5-103.5 as  
27 follows:

1           **25.5-5-103.5. Prohibition on reimbursement for medical**  
2 **services to a person who is not lawfully residing.** EXCEPT AS PROVIDED  
3 IN SECTION 25.5-5-103 AND NOTWITHSTANDING ANY OTHER LAW TO THE  
4 CONTRARY, THE STATE DEPARTMENT SHALL NOT REIMBURSE A  
5 HEALTH-CARE PROVIDER, ENTITY, OR FACILITY FOR PROVIDING MEDICAL  
6 SERVICES TO A PERSON UNLESS THE PERSON IS A CITIZEN OR NATIONAL OF  
7 THE UNITED STATES OR IS LAWFULLY RESIDING AS DEFINED IN SECTION  
8 25.5-4-103.

9           **SECTION 9.** In Colorado Revised Statutes, 25.5-5-201, **repeal**  
10 (6) as follows:

11           **25.5-5-201. Optional provisions - optional groups - rules.**

12 ~~(6) (a) Beginning no later than January 1, 2025, a pregnant person who~~  
13 ~~is not a citizen and who is not eligible for medical assistance pursuant to~~  
14 ~~subsection (4) of this section is eligible to receive medical assistance~~  
15 ~~pursuant to this subsection (6)(a) if the individual meets the eligibility~~  
16 ~~requirements other than those related to citizenship and immigration~~  
17 ~~status.~~

18 ~~(b) A pregnant person who is eligible for medical assistance~~  
19 ~~pursuant to this subsection (6) remains continuously eligible for all~~  
20 ~~medical services pursuant to the medical assistance program for the~~  
21 ~~twelve-month postpartum period, so long as eligibility remains in effect~~  
22 ~~pursuant to subsection (4.5)(a) of this section.~~

23 ~~(c) The state department shall seek any necessary federal~~  
24 ~~approvals to maximize any available federal financial participation in~~  
25 ~~implementing this subsection (6). Benefits for services obtained pursuant~~  
26 ~~to this subsection (6) must be provided with only state funds if federal~~  
27 ~~financial participation is unavailable for such services.~~

1           ~~(d) (I) During its 2024 presentation to the joint budget committee~~  
2           ~~of the general assembly and in its presentation to the health and human~~  
3           ~~services committee of the senate and the health and insurance committee~~  
4           ~~of the house of representatives, or any successor committees, at the~~  
5           ~~hearing held pursuant to section 2-7-203 (2)(a) of the "State Measurement~~  
6           ~~for Accountable, Responsive, and Transparent (SMART) Government~~  
7           ~~Act", the state department shall report on its plans and progress in~~  
8           ~~implementing the coverage expansion created pursuant to this subsection~~  
9           ~~(6):~~

10           ~~(H) Beginning January 1, 2026, and continuing every January~~  
11           ~~thereafter, the state department, in its presentation to the joint budget~~  
12           ~~committee of the general assembly and in its presentation to the health~~  
13           ~~and human services committee of the senate and the health and insurance~~  
14           ~~committee of the house of representatives, or any successor committees,~~  
15           ~~at the hearing held pursuant to section 2-7-203 (2)(a) of the "State~~  
16           ~~Measurement for Accountable, Responsive, and Transparent (SMART)~~  
17           ~~Government Act", shall report on the cost savings and health~~  
18           ~~improvements associated with the coverage expansion created pursuant~~  
19           ~~to this subsection (6):~~

20           **SECTION 10.** In Colorado Revised Statutes, 25.5-5-204, **amend**  
21           (2)(a) and (2.5) as follows:

22           **25.5-5-204. Presumptive eligibility - pregnant person -**  
23           **children - long-term care - state plan.** (2) (a) A pregnant person is  
24           presumptively eligible for the medical assistance program and shall  
25           receive services specified by federal law only if the person declares all  
26           pertinent information relating to the criteria of income, assets, and ~~only~~  
27           ~~if necessary to administer reimbursement for services, status.~~

1 (2.5) A child ~~less than~~ WHO IS UNDER nineteen years of age is  
2 presumptively eligible for the medical assistance program and shall  
3 receive services specified by federal law only if a parent or legal guardian  
4 of the child declares all pertinent information relating to the criteria of  
5 income, assets, and ~~only if necessary to administer reimbursement for~~  
6 ~~services~~, status of the child's family.

7 **SECTION 11.** In Colorado Revised Statutes, 25.5-5-335, **amend**  
8 (2)(a), (2)(b), and (7)(b) as follows:

9 **25.5-5-335. Continuous medical coverage for children and**  
10 **adults feasibility study - federal authorization - rules - report -**  
11 **definition.** (2) At a minimum, the feasibility study must consider the  
12 costs; implementation factors, including county workload, training, and  
13 administrative burdens on the counties, information technology systems,  
14 upgrades, and associated costs; potential health benefits for individuals  
15 and communities, including disadvantaged and marginalized groups;  
16 impacts of increased use of preventive and high-value health services;  
17 administrative savings, including, but not limited to, reducing or  
18 eliminating eligibility processing for populations during the continuous  
19 eligibility period; reductions in administrative turnover and coverage loss;  
20 and, to the extent practicable, social and economic impacts with respect  
21 to the following:

22 (a) Allowing an eligible child, as defined in this article 5 and  
23 articles 2, 3, 6, and 8 of this title 25.5, ~~including children eligible under~~  
24 ~~sections 25.5-2-104 and 25.5-2-105~~, to remain continuously eligible for  
25 medical assistance and the children's basic health plan for twenty-four  
26 months after the last day of the month in which the child was enrolled;

27 (b) Allowing an eligible child, as defined in this article 5 and



1 articles 2, 3, 6, and 8 of this title 25.5, ~~including children eligible under~~  
2 ~~sections 25.5-2-104 and 25.5-2-105 who are less than~~ WHO IS UNDER six  
3 years of age, to remain continuously eligible for medical assistance or the  
4 children's basic health plan without regard to a change in household  
5 income until the child reaches six years of age;

6 (7) (b) For purposes of seeking federal authorization pursuant to  
7 subsection (7)(a) of this section, an eligible child is as defined in this  
8 article 5 and articles 2, 3, 6, and 8 of this title 25.5 ~~including a child~~  
9 ~~eligible pursuant to sections 25.5-2-104 and 25.5-2-105~~, and must be  
10 under three years of age. An eligible child shall remain continuously  
11 eligible without regard to household income until the eligible child  
12 reaches three years of age; except that a child is no longer eligible and  
13 must be disenrolled from a medical assistance program if the state  
14 department becomes aware that the child has moved out of the state, the  
15 state department or county possesses facts indicating that the family has  
16 requested the child's voluntary disenrollment, the state department  
17 determines eligibility was erroneously granted, or the child is deceased.

18 **SECTION 12.** In Colorado Revised Statutes, 25.5-8-103, **amend**  
19 (4)(a)(I) and (4)(b)(I) as follows:

20 **25.5-8-103. Definitions - rules.** As used in this article 8, unless  
21 the context otherwise requires:

22 (4) "Eligible person" means:

23 (a) (I) A person who is ~~less than~~ UNDER nineteen years of age,  
24 who is a citizen or meets the immigration status requirements set forth in  
25 section 25.5-8-109 (6) ~~or 25.5-8-109 (7)~~, whose family income does not  
26 exceed two hundred sixty percent of the federal poverty line, adjusted for  
27 family size, and who is not eligible for medical assistance pursuant to

1 articles 4, 5, and 6 of this title 25.5.

2 (b) (I) A pregnant person who is a citizen or meets the  
3 immigration status requirements set forth in section 25.5-8-109 (6) ~~or~~  
4 ~~25.5-8-109 (7)~~, whose family income does not exceed two hundred sixty  
5 percent of the federal poverty line, adjusted for family size, and who is  
6 not eligible for medical assistance pursuant to articles 4, 5, and 6 of this  
7 title 25.5.

8 **SECTION 13.** In Colorado Revised Statutes, 25.5-8-107, **repeal**  
9 (1)(i) as follows:

10 **25.5-8-107. Duties of the department - schedule of services -**  
11 **premiums - copayments - subsidies - purchase of childhood**  
12 **immunizations.** (1) In addition to any other duties pursuant to this article  
13 8, the department has the following duties:

14 (i) ~~(I) The department shall develop and implement an outreach~~  
15 ~~strategy for Coloradans who become eligible for health coverage pursuant~~  
16 ~~to section 25.5-2-104, 25.5-2-105, 25.5-5-201 (6), or 25.5-8-109 (7). The~~  
17 ~~state department shall work with stakeholders to develop an outreach~~  
18 ~~strategy that includes:~~

19 ~~(A) Funding for community-based organizations to partner with~~  
20 ~~the department on outreach;~~

21 ~~(B) A method for providing information related to eligibility and~~  
22 ~~enrollment that can be provided to nonprofit partners, school districts, and~~  
23 ~~charter schools for outreach purposes; and~~

24 ~~(C) At a minimum, providing information related to eligibility and~~  
25 ~~coverage in English, Spanish, and in each language spoken by at least~~  
26 ~~two-and-one-half percent of the population of any county who speak~~  
27 ~~English less than very well, as defined by the United States bureau of the~~

1 ~~census American community survey, and who speak the minority~~  
2 ~~language at home;~~

3 ~~(H) Approximately twelve and twenty-four months after~~  
4 ~~implementation of the strategy required pursuant to subsection (1)(i)(I) of~~  
5 ~~this section, the department shall convene stakeholders, including directly~~  
6 ~~impacted individuals, service providers, and advocacy organizations that~~  
7 ~~are diverse with regard to race, ethnicity, immigration status, sexual~~  
8 ~~orientation, and gender identity and who are affected by higher rates of~~  
9 ~~health disparities and inequities. The department shall report on the~~  
10 ~~outreach and enrollment strategy outcomes, including enrollment of~~  
11 ~~eligible persons into these programs compared to those persons who are~~  
12 ~~eligible for coverage, but not enrolled.~~

13 **SECTION 14.** In Colorado Revised Statutes, 25.5-8-109, **repeal**  
14 **(7)** as follows:

15 **25.5-8-109. Eligibility - children - pregnant women - rules.**

16 ~~(7) (a) Beginning no later than January 1, 2025, notwithstanding any~~  
17 ~~other provision of law, the department shall provide benefits pursuant to~~  
18 ~~this article 8 to a pregnant person who is not a citizen and is not eligible~~  
19 ~~pursuant to subsection (6) of this section, so long as the pregnant person~~  
20 ~~meets the eligibility criteria other than those related to citizenship or~~  
21 ~~immigration status. Eligibility pursuant to this section extends~~  
22 ~~continuously through the twelve-month postpartum period, so long as~~  
23 ~~eligibility remains in effect pursuant to subsection (5.5)(a) of this section.~~

24 ~~(b) The department shall seek any necessary federal approvals to~~  
25 ~~maximize any available federal financial participation in implementing~~  
26 ~~this subsection (7).~~

27 ~~(c) (I) During its 2024 presentation to the joint budget committee~~

1 of the general assembly and in its presentation to the health and human  
2 services committee of the senate and the health and insurance committee  
3 of the house of representatives, or any successor committees, at the  
4 hearing held pursuant to section 2-7-203 (2)(a) of the "State Measurement  
5 for Accountable, Responsive, and Transparent (SMART) Government  
6 Act", the state department shall report on its plans and progress in  
7 implementing the coverage expansion created pursuant to this subsection  
8 (7).

9 (H) Beginning January 1, 2026, and continuing every January  
10 thereafter, the state department, in its presentation to the joint budget  
11 committee of the general assembly and in its presentation to the health  
12 and human services committee of the senate and the health and insurance  
13 committee of the house of representatives, or any successor committees,  
14 at the hearing held pursuant to section 2-7-203 (2)(a) of the "State  
15 Measurement for Accountable, Responsive, and Transparent (SMART)  
16 Government Act", shall report on the cost savings and health  
17 improvements associated with the coverage expansion created pursuant  
18 to this subsection (7).

19 (d) This subsection (7) constitutes state authority within the  
20 meaning of 8 U.S.C. sec. 1621 (d), as that law existed on January 1, 2022.

21 **SECTION 15.** In Colorado Revised Statutes, 25.5-8-109.3,  
22 **repeal** (1) and (3)(a) as follows:

23 **25.5-8-109.3. Health services initiatives.** (1) To the extent  
24 federal financial participation is available, the department shall design  
25 and implement health service initiatives pursuant to section  
26 2105(a)(1)(D)(ii) of the federal "Social Security Act", as amended, to  
27 provide funding for continuous enrollment for the twelve-month

1 postpartum period for a person who is enrolled in health-care coverage  
2 pursuant to section 25.5-5-201 (6) or 25.5-8-109 (7).

3 (3) (a) The department shall seek any necessary federal approvals  
4 to obtain federal financial participation in implementing subsection (1) of  
5 this section.

6 **SECTION 16. Act subject to petition - effective date.** This act  
7 takes effect at 12:01 a.m. on the day following the expiration of the  
8 ninety-day period after final adjournment of the general assembly; except  
9 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
10 of the state constitution against this act or an item, section, or part of this  
11 act within such period, then the act, item, section, or part will not take  
12 effect unless approved by the people at the general election to be held in  
13 November 2026 and, in such case, will take effect on the date of the  
14 official declaration of the vote thereon by the governor.