

CHAPTER 371

GENERAL ASSEMBLY

SENATE BILL 19-164

BY SENATOR(S) Todd and Crowder, Coram, Court, Ginal, Priola, Rankin, Smallwood, Story, Tate, Winter, Garcia;
also REPRESENTATIVE(S) Mullica, Bird, Buckner, Caraveo, Cutter, Duran, Exum, Galindo, Gray, Hooton, Singer, Snyder,
Titone, Valdez D.

AN ACT

CONCERNING THE CONTINUATION OF IN-HOME SUPPORT SERVICES WITHIN THE "COLORADO MEDICAL ASSISTANCE ACT", AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE 2018 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. In Colorado Revised Statutes, **amend** 25.5-6-1207 as follows:

25.5-6-1207. Repeal of part. This part 12 is repealed, effective September 1, 2019 2028. Prior to such repeal, in-home support services established under this part 12 shall be reviewed as provided for in section 24-34-104. ~~C.R.S.~~

SECTION 2. In Colorado Revised Statutes, 24-34-104, **repeal** (17)(a)(X); and **add** (29)(a)(VI) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (17) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2019:

~~(X) In-home support services established in part 12 of article 6 of title 25.5, C.R.S.;~~

(29) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2028:

(VI) IN-HOME SUPPORT SERVICES ESTABLISHED IN PART 12 OF ARTICLE 6 OF TITLE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

25.5.

SECTION 3. In Colorado Revised Statutes, 25.5-6-1202, **amend** (3)(a) as follows:

25.5-6-1202. Definitions. As used in this part 12, unless the context otherwise requires:

(3) "Eligible person" means any person who:

(a) Is enrolled in A home- and community-based services WAIVER PROGRAM pursuant to ~~part 3 of this article, is enrolled in the spinal cord injury waiver pilot program pursuant to part 13 of this article, or is enrolled in the disabled children care program pursuant to section 25.5-6-901~~ THIS ARTICLE 6 FOR WHICH IN-HOME SUPPORT SERVICES ARE AUTHORIZED PURSUANT TO STATE AND FEDERAL LAW;

SECTION 4. In Colorado Revised Statutes, 25.5-6-1203, **repeal** (1.5) as follows:

25.5-6-1203. In-home support services - eligibility - licensure exclusion - in-home support service agency responsibilities - rules. (1.5) ~~The state department shall develop a plan to expand the provision of in-home support services to include clients eligible for home- and community-based services pursuant to parts 6 and 7 of this article and home- and community-based adult supportive living services and children's extensive support services pursuant to part 4 of this article. On or before March 1, 2015, the state department shall report to the public health and human services committee of the house of representatives and to the health and human services committee of the senate, or any successor committees, concerning the state department's plan for providing in-home support services to these clients, including the timeline for implementation of the service.~~

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 30, 2019