

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 25-0771.01 Chelsea Princell x4335

HOUSE BILL 25-1184

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A BILL FOR AN ACT

101 **CONCERNING COMMUNITY-BASED CONTINUING CARE SERVICES FOR**
102 **SENIORS AWAITING ADMISSION TO A LIFE CARE INSTITUTION.**

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>.)

Under current law, life care institutions provide life and health support services to resident seniors who reside at the life care institution through the help of independent living arrangements, assisted living, or skilled nursing. The bill allows life care institutions to provide community-based continuing care services to seniors in their homes and other services that benefit individuals who are awaiting admission to a

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
3rd Reading Unamended
April 14, 2025

SENATE
Amended 2nd Reading
April 11, 2025

HOUSE
3rd Reading Unamended
March 4, 2025

HOUSE
2nd Reading Unamended
February 28, 2025

life care institution.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 11-49-101 as
3 follows:

4 **11-49-101. Definitions.** As used in this article 49, unless the
5 context otherwise requires:

6 (1) "Aged person" means any person sixty-two years of age or
7 older.

8 (2) "Board" means the financial services board created in section
9 11-44-101.6.

10 (3) "Commissioner" means the state commissioner of financial
11 services, serving in accordance with section 11-44-102.

12 (4) "COMMUNITY-BASED CONTINUING CARE" OR "CBCC" MEANS
13 A PROGRAM PROVIDING OR COMMITTING TO PROVIDE A RANGE OF
14 SERVICES TO A PARTICIPANT PURSUANT TO A CONTRACT EFFECTIVE FOR
15 THE LIFE OF THE INDIVIDUAL AND IN CONSIDERATION OF THE PAYMENT OF
16 A ONE-TIME ENTRANCE FEE OR A MONTHLY FEE. "COMMUNITY-BASED
17 CONTINUING CARE" OR "CBCC" ALSO MEANS THE PROVISION OF SERVICES
18 TO AN INDIVIDUAL IN THE INDIVIDUAL'S PRIVATE RESIDENCE, WHEN
19 MEDICALLY FEASIBLE, AND PROVIDING FACILITY-BASED LONG-TERM CARE
20 SERVICES, WHEN REQUIRED, EITHER DIRECTLY OR INDIRECTLY THROUGH
21 AFFILIATED SERVICES OR CONTRACTUAL ARRANGEMENTS.

22 (5) "COMMUNITY-BASED CONTINUING CARE ENTRANCE FEE" OR
23 "CBCC ENTRANCE FEE" MEANS AN INITIAL OR DEFERRED TRANSFER TO A
24 CBCC PROVIDER OF A SUM OF MONEY OR OTHER PROPERTY MADE OR
25 PROMISED TO BE MADE IN ADVANCE OR AT SOME FUTURE TIME AS FULL OR

1 PARTIAL CONSIDERATION FOR ACCEPTANCE OF AN INDIVIDUAL AS A
2 PARTICIPANT.

3 (6) "COMMUNITY-BASED CONTINUING CARE PROVIDER" OR "CBCC
4 PROVIDER" MEANS A PROVIDER WHO PROVIDES OR OFFERS TO PROVIDE
5 COMMUNITY-BASED CONTINUING CARE TO A PARTICIPANT AND HAS
6 OPERATED A LIFE CARE INSTITUTION PURSUANT TO THIS ARTICLE 49 FOR
7 AT LEAST THREE YEARS.

8 (4) (7) "Entrance fee" means the total of any initial or deferred
9 transfer to or for the benefit of a provider MADE PURSUANT TO A LIFE
10 CARE CONTRACT, which transfer:

11 (a) Is made or promised to be made as full or partial consideration
12 for the acceptance or maintenance of a specified individual as a resident
13 in a facility; and

14 (b) Is in the form of:

15 (I) Property; or

16 (II) A sum of money in an amount that is greater than four times
17 the amount of a regular periodic charge under a life care contract at the
18 facility.

19 (5) (8) "Facility" means the place WITH LIVING UNITS in which a
20 provider undertakes to provide life care to a resident.

21 (6) (9) "Life care" means care ~~provided~~, MADE AVAILABLE TO A
22 RESIDENT OF A LIVING UNIT BY A PROVIDER pursuant to a life care
23 contract, for the life of an aged person, including, but not limited to,
24 services such as ~~occupancy of a living unit~~, health care, nutrition
25 assistance, medical services, and ~~nursing services within a living unit~~
26 BOARD, LODGING, NURSING SERVICES, OR OTHER SERVICES REQUIRED BY
27 A LIFE CARE CONTRACT.

1 ~~(7)~~ (10) "Life care contract" means a written contract to provide
2 life care to a person for the duration of the person's life conditioned upon
3 the transfer of an entrance fee to the provider of the services in addition
4 to or in lieu of the payment of regular periodic charges for the LIFE care
5 and services involved. A life care contract under which the entrance fee
6 is payable to or for the provider in four or more installments is subject to
7 the provisions of the "Uniform Consumer Credit Code", articles 1 to 9 of
8 title 5.

9 ~~(8)~~ (11) "Living unit" means a room, apartment, or other area that
10 is within a facility and set aside for the use of one or more identified
11 residents and within which life care is ~~provided~~ MADE AVAILABLE by the
12 provider. A resident's living unit may change based on the appropriate
13 care needs of the resident.

14 (12) "PARTICIPANT" MEANS AN INDIVIDUAL WHO HAS ENTERED
15 INTO A COMMUNITY-BASED CONTINUING CARE CONTRACT.

16 ~~(9)~~ (13) "Person" means all corporations, associations,
17 partnerships, or individuals, including fraternal or benevolent orders or
18 societies.

19 (14) "PRIVATE RESIDENCE" MEANS THE PLACE WHERE A CBCC
20 PROVIDER PROVIDES CBCC TO A PARTICIPANT AND DOES NOT INCLUDE A
21 LIVING UNIT OR A FACILITY.

22 ~~(10)~~ (15) (a) "Provider" means a person who undertakes to
23 provide services in a facility pursuant to a life care contract.

24 (b) "Provider" does not include a unit owners' association, as
25 defined in section 38-33.3-103 (3).

26 (16) "RANGE OF SERVICES" MEANS SERVICES THAT ENABLE A
27 PARTICIPANT TO LIVE SAFELY IN THE PARTICIPANT'S PRIVATE RESIDENCE.

1 ~~(11)~~ (17) "Resident" means any person entitled pursuant to a life
2 care contract to receive life care in a facility.

3 ~~(12)~~ (18) "Third-party service providers" means any person, other
4 than a provider, who is the holder of a management contract with a
5 provider or who contracts with a provider to provide life care services to
6 residents.

7 **SECTION 2.** In Colorado Revised Statutes, 11-49-103, **amend**
8 (2) as follows:

9 **11-49-103. Withdrawal or dismissal of person - refund.** (2) If
10 the provider is an organization described in section 501 (c)(3) of the
11 federal "Internal Revenue Code of 1986", as amended, and exempt from
12 income taxation under section 501 (a) of the federal "Internal Revenue
13 Code of 1986", ~~as amended, it shall be~~ OR HAS A POLICY NOT TO
14 TERMINATE A RESIDENT'S LIFE CARE CONTRACT DUE TO THE INABILITY TO
15 PAY IF THE RESIDENT IS OTHERWISE COMPLIANT WITH THE LIFE CARE
16 CONTRACT, THE PROVIDER IS entitled to make a refund according to a
17 schedule provided in its agreement with the resident so long as the
18 schedule provides for amortization of the amount paid by the resident
19 over a period of not less than sixty months or over the life expectancy of
20 the resident if the expectancy is less than sixty months. In such case, the
21 refund may be delayed for a reasonable period thereafter until the
22 securing by the provider of a substitute fee from another resident or
23 prospective resident. The provider may also deduct from any such refund
24 amounts due it from the resident for damage done or for any other
25 legitimate offsetting item.

26 **SECTION 3.** In Colorado Revised Statutes, 11-49-105, **add** (4)
27 as follows:

1 **11-49-105. Reserve requirements.** (4) A CBCC PROVIDER SHALL
2 MAINTAIN SEPARATE RESERVES TIED TO AN ACTUARIAL ASSESSMENT, IN
3 THE FORM AND MANNER REQUIRED BY THE COMMISSIONER, IN ORDER FOR
4 THE PROVIDER TO FULLY PERFORM ITS OBLIGATIONS UNDER ITS
5 COMMUNITY-BASED CONTINUING CARE CONTRACTS.

6 **SECTION 4.** In Colorado Revised Statutes, 11-49-106, **amend**
7 (1), (2), and (3) as follows:

8 **11-49-106. Annual report by providers - fee.** (1) Each A
9 provider AND CBCC PROVIDER shall file ~~an annual report~~ REPORTS with
10 the commissioner within ninety days after the end of ~~its~~ THEIR fiscal year
11 that ~~contains~~ CONTAIN the certified financial statements for each facility
12 OR PROGRAM and ~~such~~ other information as ~~may be~~ required by the
13 commissioner. The annual ~~report shall~~ REPORTS MUST be made in a form
14 prescribed by the commissioner.

15 (2) A provider AND CBCC PROVIDER shall amend ~~its~~ THEIR annual
16 ~~report~~ REPORTS on file with the commissioner if an amendment is
17 necessary to prevent the ~~report~~ REPORTS from containing a material
18 misstatement of fact or omission of a material fact.

19 (3) A provider AND CBCC PROVIDER shall make ~~its~~ THEIR annual
20 ~~report~~ REPORTS available to residents OR PARTICIPANTS upon request.

21 **SECTION 5.** In Colorado Revised Statutes, **amend** 11-49-107 as
22 follows:

23 **11-49-107. Examination - fees.** The commissioner may conduct
24 an examination of the affairs of ~~any~~ A provider OR CBCC PROVIDER as
25 often as the commissioner deems ~~it~~ necessary for the protection of the
26 interests of the people of this state. Providers AND CBCC PROVIDERS shall
27 maintain copies of their books and records in Colorado to provide access

1 for the purposes of this article 49. The commissioner shall assess each
2 provider at least semiannually, to cover the annual direct and indirect
3 costs of examinations, supervision, and administration conducted
4 pursuant to ~~the provisions of~~ this section. The assessments ~~shall~~ MUST be
5 calculated in terms of cents per thousand dollars of total escrowed
6 entrance fees and reserves maintained. The assessment calculation, or
7 ratio of the assessment charged to total escrowed entrance fees and
8 reserves maintained, ~~shall~~ MUST be alike in all cases. On or before the
9 dates specified by the commissioner, each ~~association~~ PROVIDER AND
10 CBCC PROVIDER shall pay its assessment. If deemed necessary, the
11 commissioner may estimate a per diem rate to be charged for
12 examinations and charge a provider OR CBCC PROVIDER for the actual
13 cost of any examination documented by the commissioner.

14 **SECTION 6.** In Colorado Revised Statutes, **amend** 11-49-109 as
15 follows:

16 **11-49-109. Violation.** ~~Any~~ A person acting in the capacity of a
17 provider OR CBCC PROVIDER who enters into a life care contract OR
18 CBCC CONTRACT, or extends the term of an existing life care contract OR
19 CBCC CONTRACT, without acting in compliance with ~~the provisions of~~
20 this article 49 commits a class 2 misdemeanor.

21 **SECTION 7.** In Colorado Revised Statutes, **amend** 11-49-110 as
22 follows:

23 **11-49-110. Article does not apply to facilities licensed by**
24 **department of public health and environment.** The provisions of this
25 article 49 shall not apply to any hospital or other facility that the
26 department of public health and environment is authorized to license
27 pursuant to part 1 of article 1.5 and part 1 of article 3 of title 25; except

1 that nursing care facilities, and assisted living residences, AND HOME
2 HEALTH AGENCIES that are part of the facility of a provider as defined in
3 section 11-49-101 shall be ARE subject to the provisions of this article 49.

4 **SECTION 8.** In Colorado Revised Statutes, 11-49-111, **add** (2),
5 (3), and (4) as follows:

6 **11-49-111. Life care contract and CBCC contract - content.**

7 (2) A COMMUNITY-BASED CONTINUED CARE CONTRACT MUST BE WRITTEN
8 IN A CLEAR AND COHERENT MANNER USING WORDS WITH COMMON AND
9 EVERYDAY MEANINGS AND MUST:

10 (a) SHOW THE VALUE OF ALL PROPERTY TRANSFERRED, INCLUDING
11 DONATIONS, SUBSCRIPTIONS, FEES, AND ANY OTHER AMOUNTS PAID OR
12 PAYABLE BY, OR ON BEHALF OF, THE PARTICIPANT;

13 (b) SHOW ALL SERVICES THAT ARE PROVIDED BY THE CBCC
14 PROVIDER TO THE PROSPECTIVE PARTICIPANT, INCLUDING, IN DETAIL, ALL
15 ITEMS THAT THE PARTICIPANT WILL RECEIVE, WHETHER THE ITEMS WILL BE
16 PROVIDED FOR A DESIGNATED TIME PERIOD OR FOR THE LIFE OF THE
17 PARTICIPANT, AND THE MONTHLY CHARGE FOR THE SERVICE;

18 (c) BE ACCOMPANIED BY A FINANCIAL STATEMENT SHOWING IN
19 REASONABLE DETAIL THE FINANCIAL CONDITION OF THE CBCC PROVIDER,
20 INCLUDING A STATEMENT OF EARNINGS FOR THE PREVIOUS THIRTY-SIX
21 MONTHS, THAT MUST BE FURNISHED TO THE PROSPECTIVE PARTICIPANT;

22 (d) DESCRIBE THE PHYSICAL HEALTH, MENTAL HEALTH, AND
23 FINANCIAL CONDITIONS OF THE PARTICIPANT UNDER WHICH THE CBCC
24 PROVIDER MAY REQUIRE THE PARTICIPANT TO END THEIR PARTICIPATION
25 IN THE PROGRAM;

26 (e) DESCRIBE THE CIRCUMSTANCES UNDER WHICH A PARTICIPANT
27 MAY REMAIN IN THE PROGRAM IN THE EVENT THAT A PARTICIPANT IS

1 UNABLE TO PRODUCE A REQUIRED PAYMENT;

2 (f) (I) PROVIDE THAT THE CBCC PROVIDER SHALL NOT CANCEL A
3 COMMUNITY-BASED CONTINUING CARE CONTRACT WITH THE PARTICIPANT
4 WITHOUT SHOWING GOOD CAUSE. GOOD CAUSE IS LIMITED TO THE
5 FOLLOWING:

6 (A) PROOF THAT THE PARTICIPANT IS A DANGER TO THEMSELF OR
7 OTHERS;

8 (B) PERSISTENT NONPAYMENT BY THE PARTICIPANT OF A
9 MONTHLY OR PERIODIC FEE;

10 (C) REPEATED CONDUCT BY THE PARTICIPANT THAT INTERFERES
11 WITH OTHER PARTICIPANTS' QUIET ENJOYMENT OF A FACILITY OR SERVICE;

12 (D) PERSISTENT REFUSAL TO COMPLY WITH WRITTEN RULES AND
13 REGULATIONS OF THE PROGRAM;

14 (E) A MATERIAL MISREPRESENTATION MADE INTENTIONALLY OR
15 RECKLESSLY BY THE PARTICIPANT IN THEIR APPLICATION FOR
16 PARTICIPATION IN THE PROGRAM, OR RELATED MATERIALS, REGARDING
17 INFORMATION THAT, IF ACCURATELY PROVIDED, WOULD RESULT IN EITHER
18 THE PARTICIPANT NOT QUALIFYING FOR PARTICIPATION OR A MATERIAL
19 INCREASE IN THE COST OF PROVIDING THE CARE AND SERVICES PROVIDED
20 UNDER THE CBCC CONTRACT TO THE PARTICIPANT; OR

21 (F) A MATERIAL BREACH BY THE PARTICIPANT OF THE TERMS AND
22 CONDITIONS OF THE COMMUNITY-BASED CONTINUING CARE CONTRACT.

23 (II) IF A CBCC PROVIDER INTENDS TO CANCEL A CBCC CONTRACT
24 AND TERMINATE A PARTICIPANT'S PARTICIPATION, THE PROVIDER MUST
25 GIVE THE PARTICIPANT WRITTEN NOTICE OF, AND A REASONABLE
26 OPPORTUNITY TO CURE WITHIN A REASONABLE PERIOD, THE CONDUCT
27 THAT WARRANTS THE CANCELLATION OF THE CBCC CONTRACT. THE

1 NOTICE MUST SPECIFY WHICH OF THE CIRCUMSTANCES DESCRIBED IN
2 SUBSECTION (2)(f)(I) OF THIS SECTION OCCURRED THAT WARRANTS
3 TERMINATION OF THE CBCC CONTRACT.

4 (g) PROVIDE IN CLEAR AND UNDERSTANDABLE LANGUAGE, IN
5 PRINT NO LARGER THAN THE LARGEST TYPE USED IN THE BODY OF THE
6 CBCC CONTRACT, THE TERMS GOVERNING A REFUND OF A PORTION OF THE
7 CBCC ENTRANCE FEE AND THE MANNER IN WHICH THE CBCC PROVIDER
8 MAY USE THE FUNDS FROM THE CBCC ENTRANCE FEE IF NOT REFUNDED;

9 (h) STATE THE TERMS THAT A CBCC CONTRACT IS CANCELLED BY
10 THE DEATH OF THE PARTICIPANT. THE CBCC CONTRACT MAY CONTAIN A
11 PROVISION TO THE EFFECT THAT, UPON THE DEATH OF THE PARTICIPANT,
12 THE MONEY PAID FOR THE COMMUNITY-BASED CONTINUING CARE OF THE
13 PARTICIPANT IS CONSIDERED EARNED AND IS PROPERTY OF THE CBCC
14 PROVIDER.

15 (i) PROVIDE A PARTICIPANT WITH AT LEAST A THIRTY-DAY NOTICE
16 PRIOR TO A CHANGE IN FEES, CHARGES, OR THE SCOPE OF CARE OR
17 SERVICES, EXCEPT FOR CHANGES REQUIRED BY STATE OR FEDERAL LAW.

18 (3) A PARTICIPANT HAS THE RIGHT TO RESCIND A CBCC
19 CONTRACT AND RECEIVE A FULL REFUND OF THE CBCC ENTRANCE FEE
20 WITHIN SEVEN DAYS AFTER MAKING AN INITIAL DEPOSIT OR EXECUTING
21 THE CBCC CONTRACT. A PARTICIPANT IS NOT REQUIRED TO BEGIN THE
22 PROVISION OF CARE OR SERVICES OUTLINED IN THE PARTICIPANT'S CBCC
23 CONTRACT BEFORE THE EXPIRATION OF THE SEVEN-DAY PERIOD.

24 (4) IF A PARTICIPANT DIES BEFORE THE PROGRAM BEGINS, OR IS
25 PRECLUDED FROM PARTICIPATING IN THE PROGRAM DUE TO ILLNESS,
26 INJURY, OR INCAPACITY, THE CONTRACT AUTOMATICALLY RESCINDS AND
27 THE PARTICIPANT OR THE PARTICIPANT'S LEGAL REPRESENTATIVE MUST

1 RECEIVE A FULL REFUND OF ALL MONEY PAID TO THE CBCC PROVIDER,
2 EXCEPT COSTS SPECIFICALLY INCURRED BY THE CBCC PROVIDER AT THE
3 REQUEST OF THE PARTICIPANT AND SET FORTH IN WRITING IN A SEPARATE
4 ADDENDUM SIGNED BY BOTH PARTIES TO THE CONTRACT.

5 **SECTION 9.** In Colorado Revised Statutes, 11-49-112, **amend**
6 (1) introductory portion and (1)(f); and **repeal** (1)(e) as follows:

7 **11-49-112. Register.** (1) Every provider AND CBCC PROVIDER
8 shall maintain a register setting forth the following facts concerning each
9 person OR PARTICIPANT residing in ~~the~~ A life care institution OR
10 RECEIVING CBCC:

- 11 (e) ~~Mother's maiden name;~~
- 12 (f) The person responsible for each resident's care and
13 maintenance; AND

14 **SECTION 10.** In Colorado Revised Statutes, **amend** 11-49-113
15 as follows:

16 **11-49-113. Advertisements and solicitations of life care**
17 **contracts and CBCC contracts - requirements.** Any report, circular,
18 public announcement, certificate, or financial statement, or any other
19 printed matter or advertising material that is designed for or used to solicit
20 or induce persons to enter into any life care contract OR CBCC
21 CONTRACT, and that lists or refers to the name of any individual or
22 organization as being interested in or connected with the person,
23 association, or corporation to perform the contract, ~~shall~~ MUST clearly
24 state the extent of financial responsibility assumed by that individual or
25 organization for the person, association, or corporation and the fulfillment
26 of its contracts.

27 **SECTION 11.** In Colorado Revised Statutes, 30-28-115, **amend**

1 (2)(b)(II) as follows:

2 **30-28-115. Public welfare to be promoted - legislative**
3 **declaration - construction.** (2) (b) (II) The general assembly declares
4 that the establishment of group homes for the aged for the exclusive use
5 of not more than eight persons sixty years of age or older per home is a
6 matter of statewide concern. The general assembly further finds and
7 declares that it is the policy of this state to enable and assist persons sixty
8 years of age or older who do not need nursing facilities and who so elect
9 to live in normal residential surroundings, including single-family
10 residential units. Group homes for the aged ~~shall~~ MUST be distinguished
11 from nursing facilities, as defined in ~~section 25.5-4-103 (14)~~ SECTION
12 25.5-4-103, and institutions providing life care, as defined in ~~section~~
13 ~~11-49-101 (6)~~ SECTION 11-49-101. Every county ~~having adopted or that~~
14 ~~shall adopt~~ THAT ADOPTS a zoning ordinance shall provide for the location
15 of group homes for the aged. A group home for the aged established
16 under this subsection (2)(b)(II) ~~shall~~ MUST not be located within seven
17 hundred fifty feet of another ~~such~~ group home, unless otherwise provided
18 for by the county.

19 **SECTION 12.** In Colorado Revised Statutes, 31-23-303, **amend**
20 (2)(b)(II) as follows:

21 **31-23-303. Legislative declaration.** (2) (b) (II) The general
22 assembly declares that the establishment of group homes for the aged for
23 the exclusive use of not more than eight persons sixty years of age or
24 older per home is a matter of statewide concern. The general assembly
25 further finds and declares that it is the policy of this state to enable and
26 assist persons sixty years of age or older who do not need nursing
27 facilities, and who so elect, to live in normal residential surroundings,

1 including single-family residential units. Group homes for the aged shall
2 MUST be distinguished from nursing facilities, as defined in section
3 ~~25.5-4-103 (14)~~ SECTION 25.5-4-103, and institutions providing life care,
4 as defined in ~~section 11-49-101 (6)~~ SECTION 11-49-101. Every
5 municipality ~~having adopted or that shall adopt~~ THAT ADOPTS a zoning
6 ordinance shall provide for the location of group homes for the aged. A
7 group home for the aged established under this subsection (2)(b) shall
8 MUST not be located within seven hundred fifty feet of another ~~such~~ group
9 home, unless otherwise provided for by the municipality. Nothing in this
10 subsection (2)(b) shall be construed to exempt the group homes from
11 compliance with any state, county, or municipal health, safety, and fire
12 codes. On April 29, 1976, every person sixty years of age or older who
13 resides in a skilled or intermediate health-care facility and who may be
14 transferred or discharged therefrom to a group home for the aged shall not
15 be so discharged or transferred unless he or she has received ninety days'
16 advance written notice thereof or has agreed in writing to the proposed
17 transfer or discharge.

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