

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

May 4, 2023
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB23-1200 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 25.5-5-406.1, add
4 (1)(f)(IV) as follows:

5 **25.5-5-406.1. Required features of statewide managed care**
6 **system. (1) General features.** All medicaid managed care programs
7 must contain the following general features, in addition to others that the
8 federal government, state department, and state board consider necessary
9 for the effective and cost-efficient operation of those programs:

10 (f) The MCE shall create, administer, and maintain a network of
11 providers, building on the current network of medicaid providers, to serve
12 the health-care needs of its members. In doing so, the MCE shall:

13 (IV) ENTER INTO SINGLE CASE AGREEMENTS WITH WILLING
14 PROVIDERS OF BEHAVIORAL HEALTH SERVICES ENROLLED IN THE MEDICAL
15 ASSISTANCE PROGRAM WHEN NETWORK DEVELOPMENT AND ACCESS
16 STANDARDS ESTABLISHED BY THE STATE DEPARTMENT ARE NOT MET AND
17 A MEMBER NEEDS ACCESS TO A MEDICALLY NECESSARY BEHAVIORAL
18 HEALTH SERVICE COVERED UNDER THE SCOPE OF THE MCE'S CONTRACT
19 WITH THE STATE DEPARTMENT. THE MCE:

20 (A) SHALL CONSIDER ANY BEHAVIORAL HEALTH PROVIDER
21 ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM FOR A SINGLE CASE
22 AGREEMENT IF THE MCE CANNOT PROVIDE A COVERED SERVICE THROUGH
23 ITS CONTRACTED PROVIDER NETWORK;

24 (B) SHALL ENSURE ALL CARE COORDINATION STAFF AND STAFF
25 WHO PROVIDE MEMBER AND PROVIDER SUPPORT ARE TRAINED IN THE
26 SINGLE CASE AGREEMENT PROCESS;

27 (C) CAN REFUSE TO OFFER SINGLE CASE AGREEMENTS BASED ON

1 FACTORS OF PROVIDER COST AND QUALITY CONCERNS;
2 (D) SHALL OFFER BOTH MEMBER AND OUT-OF-NETWORK
3 PROVIDERS ASSISTANCE IN NAVIGATING ITS SINGLE CASE AGREEMENT
4 PROCESS;
5 (E) SHALL ENSURE THE SINGLE CASE AGREEMENT PROCESS IS
6 EXECUTED WITHIN THE STANDARDS AND TIMELINESS REQUIREMENTS
7 ESTABLISHED BY THE STATE DEPARTMENT;
8 (F) SHALL NOT REQUIRE PROVIDERS THAT ENTER INTO A SINGLE
9 CASE AGREEMENT TO SERVE ADDITIONAL MEMBERS; AND
10 (G) SHALL COMPLETE SINGLE CASE AGREEMENTS ON A TIMELINE
11 THAT IS INFORMED BY STAKEHOLDER INPUT.

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor."

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