

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING REGULATION OF MEDICAID NONEMERGENCY TRANSPORTATION PROVIDERS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Prime Sponsors: Reps. Coram and Moreno  
Senator Scott

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**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/08/16.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

*\*Technical issue: The Legislative Council Staff Revised Fiscal Note assumes \$78,328 reappropriated funds, along with an associated 0.1 FTE, would be included in the appropriations clause for the Department of Regulatory Agencies for informational purposes, but the JBC staff assumes this money would not be included in the appropriations clause as it is continuously appropriated by Section 40-10.1-302 (2) (b) (II), C.R.S.*

The House Appropriations Committee Report (04/15/16) adopted by the House on Second Reading includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
None.	

**Current Appropriations Clause in Bill**

The bill includes an appropriation clause that makes the appropriations and assumptions about federal funds and FTE for FY 2016-17 that are identified in the table below.

<b>Summary of FY 2016-17 Appropriations to Implement H.B. 16-1097</b>						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Health Care Policy and Financing	(\$136,943)	(\$9,827)	(\$2,549)	\$0	(\$124,567)	0.0
Transfer to Regulatory Agencies	78,328	59,578	0	0	18,750	0.0
Medical Services Premiums	(215,271)	(69,405)	(2,549)	0	(143,317)	0.0
Public Safety						
Colorado Crime Information Center	2,636	0	2,636	0	0	0.0
Law						
Legal Services to State Agencies	23,753	0	0	23,753	0	0.1
Office of the Governor						
Office of Information Technology	8,755	0	0	8,755	0	0.0
<b>TOTAL</b>	<b>(\$101,799)</b>	<b>(\$9,827)</b>	<b>\$87</b>	<b>\$32,508</b>	<b>(\$124,567)</b>	<b>0.1</b>

**Points to Consider**

*General Fund Impact and TABOR/ Excess State Revenues Impact*

The Joint Budget Committee (JBC) has proposed a budget package for FY 2016-17 based on the March 2016 Legislative Council Staff revenue forecast. Based on the legislation that is included as part of the budget package, revenues are projected to be \$64.2 million lower than the threshold above which money will be required to be refunded under TABOR for FY 2016-17. This bill is projected to increase cash fund revenues subject to TABOR by \$5,725 in FY 2016-17, and is thus not projected to trigger a TABOR refund for FY 2016-17. This bill would, however, increase the projected TABOR refund for FY 2017-18 by \$7,475. As TABOR refunds are paid from the General Fund, this bill would reduce the amount of General Fund available for other purposes in FY 2017-18. However, the bill is also projected to reduce General Fund appropriations by \$9,827 in FY 2016-17 and \$70,843 in FY 2017-18, and would thus increase the amount of General Fund available for other purposes in both fiscal years (by \$4,102 and \$63,368 respectively).

*Legislative Authority*

Is it necessary to "continuously appropriate" money the Public Utilities Commission receives from the Department of Health Care Policy and Financing (Section 40-10.1-302 (2) (b) (II), C.R.S.)? This method of funding the activities of the Commission essentially moves related expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.