

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

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 19-0964.01 Jerry Barry x4341

**HOUSE BILL 19-1326**

---

**HOUSE SPONSORSHIP**

**Esgar and Hansen**, Ransom, Arndt, Bird, Bockenfeld, Buckner, Buentello, Carver, Cutter, Duran, Exum, Froelich, Galindo, Gonzales-Gutierrez, Gray, Hooton, Jackson, Jaquez Lewis, Lontine, Melton, Michaelson Jenet, Mullica, Snyder, Titone, Valdez A., Valdez D.

**SENATE SPONSORSHIP**

**Zenzinger and Rankin**, Moreno

---

**House Committees**  
Health & Insurance

**Senate Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING RATE FLEXIBILITY ON EXISTING PROCEDURES IN THE**  
102              **COLORADO DENTAL HEALTH CARE PROGRAM FOR LOW-INCOME**  
103              **SENIORS.**

---

**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/>.)*

**Joint Budget Committee.** The bill adds to the duties of the department of health care policy and financing (department) under the Colorado dental health care program for low-income seniors (program) to review the operation and effectiveness of the program in the next annual report. Qualified grantees under the program and the department

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
April 26, 2019

HOUSE  
2nd Reading Unamended  
April 24, 2019

shall report recommendations concerning the operations and effectiveness of the program.

Under current law the senior dental advisory committee recommends to the medical services board the maximum reimbursement rate for dental procedures under the Colorado dental health care program for low-income seniors that cannot be less than the reimbursement rate previously adopted by the state board of health for the program. The bill changes the maximum reimbursement rate that the committee may recommend to not less than the medicaid fee-for-service rate.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-3-404, **amend**  
3 (2)(a) as follows:

4 **25.5-3-404. Colorado dental health care program for**  
5 **low-income seniors - rules.** (2) The state department shall:

6 (a) In consultation with the advisory committee, REVIEW THE  
7 OPERATION AND EFFECTIVENESS OF THE PROGRAM AND develop a grant  
8 application under the program consistent with rules of the medical  
9 services board;

10 **SECTION 2.** In Colorado Revised Statutes, **amend** 25.5-3-405  
11 as follows:

12 **25.5-3-405. Program reporting - repeal.** (1) On or before  
13 September 1, 2015, and each September 1 thereafter, each qualified  
14 grantee receiving a dental health care services grant shall report to the  
15 state department concerning the number of eligible seniors served, the  
16 types of dental and oral health services provided, RECOMMENDATIONS  
17 REGARDING THE OPERATION AND EFFECTIVENESS OF THE PROGRAM, and  
18 any other information deemed relevant by the state department.

19 (2) (a) Notwithstanding the provisions of section 24-1-136  
20 (11)(a)(I), on or before November 1, 2016, and each November 1

1 thereafter, the state department shall submit a report to the joint budget  
2 committee of the general assembly and to the health and human services  
3 committee of the senate and the public health care and human services  
4 committee of the house of representatives, or any successor committees,  
5 on the operation and effectiveness of the program, including an  
6 itemization of the department's administrative expenditures in  
7 implementing and administering the program and any recommendations  
8 for legislative changes to the program.

9 (b) (I) IN THE ANNUAL REPORT SUBMITTED ON OR BEFORE  
10 NOVEMBER 1, 2019, THE STATE DEPARTMENT SHALL SPECIFICALLY REPORT  
11 ON THE OPERATION AND EFFECTIVENESS OF THE PROGRAM AND  
12 RECOMMENDATIONS CONCERNING THE MOST EFFECTIVE OPTIONS FOR  
13 ADMINISTERING THE PROGRAM.

14 (II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JANUARY 1,  
15 2020.

16 **SECTION 3.** In Colorado Revised Statutes, 25.5-3-406, **amend**  
17 (2)(b)(V) as follows:

18 **25.5-3-406. Senior dental advisory committee - creation -**  
19 **duties - repeal.** (2) The advisory committee shall:

20 (b) Make recommendations to the medical services board  
21 regarding rules to be promulgated pursuant to section 25.5-3-404,  
22 including but not limited to:

23 (V) A maximum amount per procedure that can be spent by  
24 qualified grantees and qualified providers that ~~shall~~ MUST not be less than  
25 the reimbursement schedule ~~adopted by the state board of health pursuant~~  
26 ~~to section 25-21-105, C.R.S., prior to its repeal~~ FOR FEE-FOR-SERVICE  
27 DENTAL FEES UNDER THE MEDICAL ASSISTANCE PROGRAM ESTABLISHED

1 IN ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5.

2           **SECTION 4. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, and safety.