

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0839.01 Shelby Ross x4510

HOUSE BILL 22-1290

HOUSE SPONSORSHIP

Titone and Ortiz,

SENATE SPONSORSHIP

Zenzinger,

House Committees
Health & Insurance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CHANGES TO MEDICAID TO ALLOW FOR EXPEDITED
102 REPAIRS TO COMPLEX REHABILITATION TECHNOLOGY.

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>.)

The bill prohibits the department of health care policy and financing (state department) from requiring prior authorization for any repair of complex rehabilitation technology (CRT).

No later than October 1, 2023, the bill requires the medical services board to promulgate rules establishing repair metrics for all CRT suppliers and CRT professionals. Prior to promulgating rules, the bill

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.

requires the state department to engage in a stakeholder process. Beginning January 2024, the bill requires the state department to report on the metrics and compliance with the metrics.

The bill authorizes the state department to assess a fine for violations of repair metric rules on a supplier beginning 3 years after the date the repair metric rules are established.

Beginning December 1, 2024, the bill requires the state department to reimburse labor costs at a rate that is 25% higher for clients residing in rural areas than urban areas.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-5-323, **add** (4),
3 (5), (6), and (7) as follows:

4 **25.5-5-323. Complex rehabilitation technology - no prior**
5 **authorization - metrics - report - rules - legislative declaration -**
6 **definitions.** (4) THE STATE DEPARTMENT SHALL NOT REQUIRE PRIOR
7 AUTHORIZATION FOR ANY REPAIR OF COMPLEX REHABILITATION
8 TECHNOLOGY.

9 (5) (a) NO LATER THAN OCTOBER 1, 2023, THE STATE BOARD
10 SHALL PROMULGATE RULES ESTABLISHING REPAIR METRICS FOR ALL
11 COMPLEX REHABILITATION TECHNOLOGY SUPPLIERS AND COMPLEX
12 REHABILITATION TECHNOLOGY PROFESSIONALS. AT A MINIMUM, THE
13 METRICS MUST INCLUDE REQUIREMENTS FOR REPAIRING COMPLEX
14 REHABILITATION TECHNOLOGY IN A TIMELY MANNER AND THE EXPECTED
15 QUALITY OF EACH REPAIR. PRIOR TO PROMULGATING RULES PURSUANT TO
16 THIS SUBSECTION (5)(a), THE STATE DEPARTMENT SHALL ENGAGE IN A
17 STAKEHOLDER PROCESS, WHICH PROCESS MUST INCLUDE QUALIFIED
18 COMPLEX REHABILITATION TECHNOLOGY PROFESSIONALS, QUALIFIED
19 COMPLEX REHABILITATION TECHNOLOGY SUPPLIERS, AND COMPLEX
20 REHABILITATION TECHNOLOGY CLIENTS.

1 (b) BEGINNING JANUARY 2024, AND EACH JANUARY THEREAFTER,
2 THE STATE DEPARTMENT SHALL REPORT ON THE METRICS DEVELOPED
3 PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION AND COMPLIANCE WITH
4 THE METRICS AS PART OF ITS "STATE MEASUREMENT FOR ACCOUNTABLE,
5 RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING
6 REQUIRED BY SECTION 2-7-203.

7 (6) THE STATE DEPARTMENT MAY BEGIN ASSESSING FINES ON A
8 QUALIFIED COMPLEX REHABILITATION TECHNOLOGY SUPPLIER FOR
9 VIOLATIONS OF THE REPAIR METRIC RULES THREE YEARS AFTER THE DATE
10 THE REPAIR METRIC RULES ARE ESTABLISHED PURSUANT TO SUBSECTION
11 (5)(a) OF THIS SECTION.

12 (7) BEGINNING DECEMBER 1, 2024, THE STATE DEPARTMENT
13 SHALL REIMBURSE LABOR COSTS FOR REPAIRS OF COMPLEX
14 REHABILITATION TECHNOLOGY AT A RATE THAT IS TWENTY-FIVE PERCENT
15 HIGHER FOR CLIENTS RESIDING IN RURAL AREAS THAN THE RATE FOR
16 CLIENTS RESIDING IN URBAN AREAS.

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