

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0992.01 Christy Chase x2008

SENATE BILL 25-290

SENATE SPONSORSHIP

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Senate Committees
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A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE PROVIDER STABILIZATION FUND**
102 **WITHIN THE COLORADO HEALTHCARE AFFORDABILITY AND**
103 **SUSTAINABILITY ENTERPRISE TO MAKE PROVIDER**
104 **STABILIZATION PAYMENTS TO ELIGIBLE SAFETY NET PROVIDERS**
105 **THAT SERVE LOW-INCOME, UNINSURED POPULATIONS IN THE**
106 **STATE, AND, IN CONNECTION THEREWITH, MAXIMIZING FEDERAL**
107 **FUNDS TO SUPPORT THE OPERATIONS OF THE ENTERPRISE.**

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>.)

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.

The bill creates the provider stabilization fund within the Colorado healthcare affordability and sustainability enterprise (enterprise) to distribute provider stabilization payments to safety net providers who provide services to low-income, uninsured individuals on a sliding-fee schedule or at no cost. Provider stabilization payments will be distributed to eligible safety net providers based on the proportion of low-income, uninsured individuals that an individual provider serves in comparison to the total number of low-income, uninsured individuals served by all eligible safety net providers.

The bill directs the state treasurer to credit interest earnings on the principal in the unclaimed property trust fund to the provider stabilization fund as follows:

- \$25 million for the 2025-26 state fiscal year;
- \$20 million for the 2026-27 state fiscal year; and
- \$15 million for the 2027-28 and subsequent state fiscal years.

The provider stabilization fund also consists of any money the general assembly appropriates, transfers, or credits to the fund and any gifts, grants, or donations the enterprise may receive for the fund. The bill directs the enterprise to leverage money in the provider stabilization fund to obtain federal matching money.

The bill establishes a provider stabilization fund enterprise support board to assist the enterprise in implementing and administering the provider stabilization fund. The enterprise's governing board is required to submit an annual report on the provider stabilization fund to specified committees, the governor, and the medical services board in the department of health care policy and financing.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and determines that:

4 (a) Medicaid, the program administered by the department of
5 health care policy and financing under the name "Health First Colorado",
6 is an essential public health coverage program that pays for health care
7 for more than 1.2 million Coloradans;

8 (b) Medicaid is also a critical component of Colorado's broader
9 health care system, with thousands of health care providers relying on

1 payments from medicaid to help sustain their businesses as they serve
2 Coloradans;

3 (c) Medicaid has a positive impact on Colorado's economy, as
4 evidenced by data from a 2016 report commissioned by the Colorado
5 Health Foundation showing that, after the medicaid program expansion
6 made possible by the federal "Patient Protection and Affordable Care
7 Act" and Senate Bill 13-200, the state's economy experienced an increase
8 in the state gross domestic product, an increase in jobs, an increase in
9 annual household earnings, and an increase in general fund revenues;

10 (d) During the public health emergency caused by the COVID-19
11 pandemic, the federal government allowed all people enrolled in medicaid
12 as of March 2020 to retain their benefits during the period of the public
13 health emergency, which lasted until May 2023;

14 (e) Following the public health emergency, the federal
15 government required the state to conduct eligibility redeterminations for
16 all medicaid enrollees;

17 (f) Before the eligibility redetermination, 1.8 million Coloradans
18 were enrolled in the state's medicaid program, and as of May 2024, the
19 state's medicaid enrollment dropped by over 500,000 to 1.27 million;

20 (g) From spring of 2023 to spring of 2024, Colorado health care
21 providers experienced significant increases in the demand for care from
22 uninsured Coloradans, suggesting that many Coloradans who lost
23 medicaid eligibility became uninsured; and

24 (h) The increased demand for uncompensated care has had
25 destabilizing financial effects on safety net providers, leading to reduced
26 access to care for many Coloradans.

27 (2) The general assembly therefore declares that it is:

1 (a) Enacting the provider stabilization fund as a short-term
2 solution intended to stabilize certain safety net providers; and

3 (b) Committed to:

4 (I) Protecting vital primary care safety net infrastructure in the
5 state;

6 (II) Ensuring Colorado communities can provide access to care for
7 their residents; and

8 (III) Working toward long-term sustainability for Colorado's
9 health-care safety net.

10 **SECTION 2.** In Colorado Revised Statutes, 25.5-4-402.4, **amend**
11 (2)(a), (2)(c) introductory portion, (2)(c)(V), (2)(e), (3)(a), (3)(d)(II),
12 (3)(d)(III), (3)(d)(V), (7)(d)(II), (7)(d)(IX), (7)(e) introductory portion,
13 and (7)(f)(I); and **add** (2)(b.5), (2)(c)(II.5), (2)(c)(V.3), (2)(d.3), (5.3),
14 (6)(a)(IV), (7)(e)(III.3), and (9) as follows:

15 **25.5-4-402.4. Hospitals - healthcare affordability and**
16 **sustainability fee - Colorado healthcare affordability and**
17 **sustainability enterprise - federal waiver - fund created - reports -**
18 **rules - definitions - legislative declaration - repeal. (2) Legislative**
19 **declaration.** The general assembly hereby finds and declares that:

20 (a) The state and the providers of publicly funded medical
21 services, and hospitals AND SAFETY NET PROVIDERS in particular, share a
22 common commitment to comprehensive health-care reform;

23 (b.5) ADDITIONALLY, SAFETY NET PROVIDERS IN THE STATE INCUR
24 SIGNIFICANT COSTS BY PROVIDING SERVICES TO A LARGE PORTION OF THE
25 STATE'S LOW-INCOME, UNINSURED POPULATIONS AND INDIVIDUALS AND
26 FAMILIES ENROLLED IN MEDICAID, MEDICARE, OR THE CHILDREN'S BASIC
27 HEALTH PLAN;

1 (c) This section is enacted as part of a comprehensive health-care
2 reform and is intended to provide the following services and benefits to
3 hospitals, SAFETY NET PROVIDERS, and individuals, AS APPLICABLE:

4 (II.5) THROUGH PROVIDER STABILIZATION PAYMENTS, REDUCING
5 THE UNDERPAYMENT TO COLORADO SAFETY NET PROVIDERS
6 PARTICIPATING IN MEDICAID, MEDICARE, OR THE CHILDREN'S BASIC
7 HEALTH PLAN AND PROVIDING COMPENSATION TO SAFETY NET PROVIDERS
8 THAT PROVIDE SERVICES TO LOW-INCOME, UNINSURED INDIVIDUALS ON A
9 SLIDING-FEE SCHEDULE OR FOR FREE;

10 (V) Expanding AND ENSURING access to high-quality, affordable
11 health care for low-income and uninsured populations; ~~and~~

12 (V.3) DISTRIBUTING PROVIDER STABILIZATION PAYMENTS TO
13 SAFETY NET PROVIDERS IN ORDER TO MAINTAIN THE QUALITY AND
14 CONTINUITY OF SERVICES DELIVERED BY SAFETY NET PROVIDERS TO
15 LOW-INCOME, UNINSURED INDIVIDUALS AND INDIVIDUALS AND FAMILIES
16 ENROLLED IN MEDICAID, MEDICARE, OR THE CHILDREN'S BASIC HEALTH
17 PLAN; AND

18 (d.3) THE COLORADO HEALTHCARE AFFORDABILITY AND
19 SUSTAINABILITY ENTERPRISE PROVIDES BUSINESS SERVICES TO SAFETY NET
20 PROVIDERS WHEN IT ALLOCATES MONEY IN THE PROVIDER STABILIZATION
21 FUND ESTABLISHED IN SUBSECTION (5.3) OF THIS SECTION AND ANY
22 AVAILABLE FEDERAL MATCHING MONEY FOR PROVIDER STABILIZATION
23 PAYMENTS TO ELIGIBLE SAFETY NET PROVIDERS TO ENSURE THOSE
24 PROVIDERS CAN CONTINUE PROVIDING ACCESS TO HEALTH-CARE SERVICES
25 FOR ENROLLEES IN MEDICAID, MEDICARE, OR THE CHILDREN'S BASIC
26 HEALTH PLAN AND TO LOW-INCOME, UNINSURED INDIVIDUALS IN THE
27 STATE;

1 (e) It is necessary, appropriate, and in the best interest of the state
2 to acknowledge that by providing the business services specified in
3 ~~subsections (2)(d)(I) and (2)(d)(II)~~ SUBSECTIONS (2)(d) AND (2)(d.3) of
4 this section, the Colorado healthcare affordability and sustainability
5 enterprise engages in an activity conducted in the pursuit of a benefit,
6 gain, or livelihood and therefore operates as a business;

7 (3) **Colorado healthcare affordability and sustainability**
8 **enterprise.** (a) The Colorado healthcare affordability and sustainability
9 enterprise ~~referred to in this section as the "enterprise"~~, is created. The
10 enterprise is and operates as a government-owned business within the
11 state department for the purpose of:

12 (I) Charging and collecting the healthcare affordability and
13 sustainability fee;

14 (II) Leveraging REVENUE FROM THE healthcare affordability and
15 sustainability fee ~~revenue~~ AND IN THE PROVIDER STABILIZATION FUND to
16 obtain federal matching money; and

17 (III) Utilizing and deploying:

18 (A) The healthcare affordability and sustainability fee revenue and
19 federal matching money to provide the business services specified in
20 subsections (2)(d)(I) and (2)(d)(II) of this section to hospitals that pay the
21 healthcare affordability and sustainability fee; AND

22 (B) MONEY IN THE PROVIDER STABILIZATION FUND AND ANY
23 FEDERAL MATCHING MONEY TO PROVIDE THE BUSINESS SERVICES
24 SPECIFIED IN SUBSECTION (2)(d.3) OF THIS SECTION TO ELIGIBLE SAFETY NET
25 PROVIDERS IN ACCORDANCE WITH SUBSECTION (5.3) OF THIS SECTION.

26 (d) The enterprise's primary powers and duties are:

27 (II) To leverage REVENUE COLLECTED FROM THE healthcare

1 affordability and sustainability fee ~~revenue collected~~ AND MONEY IN THE
2 PROVIDER STABILIZATION FUND to obtain federal matching money,
3 working with or through the state department and the state board to the
4 extent required by federal law or otherwise necessary;

5 (III) To expend:

6 (A) Healthcare affordability and sustainability fee revenue,
7 matching federal money, and any other money from the healthcare
8 affordability and sustainability fee cash fund as specified in subsections
9 (4) and (5) of this section; AND

10 (B) MONEY IN THE PROVIDER STABILIZATION FUND AND ANY
11 MATCHING FEDERAL MONEY AS SPECIFIED IN SUBSECTION (5.3) OF THIS
12 SECTION.

13 (V) To enter into agreements with the state department to the
14 extent necessary to collect and expend healthcare affordability and
15 sustainability fee revenue AND TO EXPEND MONEY IN THE PROVIDER
16 STABILIZATION FUND;

17 **(5.3) Provider stabilization fund - provider stabilization**
18 **payments to eligible safety net providers - provider stabilization fund**
19 **enterprise support board - annual report. (a) Fund creation - use.**

20 (I) THE PROVIDER STABILIZATION FUND IS CREATED IN THE STATE
21 TREASURY. THE PROVIDER STABILIZATION FUND CONSISTS OF:

22 (A) MONEY CREDITED TO THE FUND PURSUANT TO SECTION
23 38-13-801 (6);

24 (B) ANY OTHER MONEY THE GENERAL ASSEMBLY MAY
25 APPROPRIATE, TRANSFER, OR CREDIT TO THE FUND; AND

26 (C) ANY GIFTS, GRANTS, OR DONATIONS THE ENTERPRISE MAY
27 RECEIVE FROM PUBLIC OR PRIVATE SOURCES FOR THE PROVIDER

1 STABILIZATION FUND.

2 (II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
3 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
4 PROVIDER STABILIZATION FUND TO THE FUND. THE STATE TREASURER
5 SHALL INVEST, AS PROVIDED BY LAW, ANY MONEY IN THE FUND NOT
6 EXPENDED FOR THE PURPOSES SPECIFIED IN THIS SUBSECTION (5.3).
7 MONEY IN THE FUND MUST NOT BE TRANSFERRED TO ANY OTHER FUND
8 AND MUST NOT BE USED FOR ANY PURPOSE OTHER THAN THE PURPOSES
9 SPECIFIED IN THIS SUBSECTION (5.3).

10 (III) ALL MONEY IN THE FUND IS SUBJECT TO FEDERAL MATCHING
11 AS AUTHORIZED UNDER FEDERAL LAW AND, SUBJECT TO ANNUAL
12 APPROPRIATION BY THE GENERAL ASSEMBLY, SHALL BE EXPENDED BY THE
13 ENTERPRISE, IN ACCORDANCE WITH SUBSECTION (5.3)(b) OF THIS SECTION,
14 TO DISTRIBUTE PROVIDER STABILIZATION PAYMENTS TO SAFETY NET
15 PROVIDERS DETERMINED ELIGIBLE FOR PAYMENTS IN ACCORDANCE WITH
16 SUBSECTION (5.3)(c) OF THIS SECTION.

17 (IV) THE ENTERPRISE, IN COLLABORATION WITH THE PROVIDER
18 STABILIZATION FUND ENTERPRISE SUPPORT BOARD, MAY SEEK, ACCEPT,
19 AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC
20 SOURCES FOR THE PURPOSES OF THIS SUBSECTION (5.3). THE ENTERPRISE
21 SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR
22 DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO
23 THE PROVIDER STABILIZATION FUND.

24 (b) **Provider stabilization payments.** (I) THE ENTERPRISE, IN
25 COLLABORATION WITH THE PROVIDER STABILIZATION FUND ENTERPRISE
26 SUPPORT BOARD, SHALL ANNUALLY ALLOCATE MONEY APPROPRIATED BY
27 THE GENERAL ASSEMBLY FROM THE PROVIDER STABILIZATION FUND AS

1 PROVIDER STABILIZATION PAYMENTS TO SAFETY NET PROVIDERS IN THE
2 STATE WHO COMPLY WITH THE REQUIREMENTS OF SUBSECTION (5.3)(c) OF
3 THIS SECTION AND ARE DETERMINED TO BE ELIGIBLE FOR A PROVIDER
4 STABILIZATION PAYMENT. THE ENTERPRISE SHALL ALLOCATE THE
5 PROVIDER STABILIZATION PAYMENTS IN AMOUNTS PROPORTIONATE TO THE
6 NUMBER OF LOW-INCOME, UNINSURED INDIVIDUALS SERVED BY AN
7 ELIGIBLE SAFETY NET PROVIDER RELATIVE TO THE TOTAL NUMBER OF
8 LOW-INCOME, UNINSURED INDIVIDUALS SERVED BY ALL ELIGIBLE SAFETY
9 NET PROVIDERS.

10 (II) THE ENTERPRISE, IN CONSULTATION WITH THE PROVIDER
11 STABILIZATION FUND ENTERPRISE SUPPORT BOARD, SHALL ESTABLISH A
12 SCHEDULE FOR ALLOCATING THE MONEY APPROPRIATED FROM THE
13 PROVIDER STABILIZATION FUND FOR ELIGIBLE SAFETY NET PROVIDERS.
14 THE DISBURSEMENT OF MONEY IN THE PROVIDER STABILIZATION FUND TO
15 ELIGIBLE SAFETY NET PROVIDERS PURSUANT TO THIS SUBSECTION (5.3) IS
16 EXEMPT FROM THE PROVISIONS OF THE "PROCUREMENT CODE", ARTICLES
17 101 TO 112 OF TITLE 24.

18 (c) **Provider eligibility.** (I) FOR A SAFETY NET PROVIDER TO BE
19 ELIGIBLE FOR A PROVIDER STABILIZATION PAYMENT PURSUANT TO
20 SUBSECTION (5.3)(b) OF THIS SECTION, THE SAFETY NET PROVIDER SHALL
21 PROVIDE SUFFICIENT INFORMATION TO THE ENTERPRISE, AS SPECIFIED IN
22 SUBSECTION (5.3)(c)(II) OF THIS SECTION, THAT THE PROVIDER PROVIDES
23 SERVICES TO LOW-INCOME, UNINSURED INDIVIDUALS:

24 (A) AT NO COST; OR

25 (B) ON A SLIDING-FEE SCHEDULE.

26 (II) A SAFETY NET PROVIDER APPLYING FOR A PROVIDER
27 STABILIZATION PAYMENT SHALL ANNUALLY SUBMIT TO THE ENTERPRISE

1 INFORMATION THAT THE ENTERPRISE, IN CONSULTATION WITH THE
2 PROVIDER STABILIZATION FUND ENTERPRISE SUPPORT BOARD, DETERMINES
3 NECESSARY TO ESTABLISH THE PROVIDER'S ELIGIBILITY FOR A PROVIDER
4 STABILIZATION PAYMENT PURSUANT TO SUBSECTION (5.3)(b) OF THIS
5 SECTION. THE SAFETY NET PROVIDER SHALL PROVIDE THE FOLLOWING:

6 (A) INFORMATION DEMONSTRATING THAT THE PROVIDER IS A
7 SAFETY NET PROVIDER AS DESCRIBED IN SUBSECTION (9)(h)(I), (9)(h)(II),
8 OR (9)(h)(III) OF THIS SECTION OR HAS A CLIENT CASELOAD THAT
9 SATISFIES THE REQUIREMENTS OF SUBSECTION (9)(h)(IV) OF THIS SECTION;

10 (B) FOR A SAFETY NET PROVIDER DESCRIBED IN SUBSECTION
11 (9)(h)(IV) OF THIS SECTION, THE TOTAL NUMBER OF PATIENTS SERVED,
12 THE NUMBER OF LOW-INCOME, UNINSURED INDIVIDUALS THAT THE
13 PROVIDER SERVED, AND THE NUMBER OF ENROLLEES IN MEDICAID,
14 MEDICARE, OR THE CHILDREN'S BASIC HEALTH PLAN THAT THE PROVIDER
15 SERVED; AND

16 (C) INFORMATION TO DEMONSTRATE THAT THE PROVIDER
17 PROVIDES SERVICES IN COMPLIANCE WITH SUBSECTION (5.3)(c)(I)(A),
18 (5.3)(c)(I)(B), OR (5.3)(c)(I)(C) OF THIS SECTION, AS APPLICABLE.

19 (III) FOR PURPOSES OF THIS SUBSECTION (5.3)(c), THE NUMBER OF
20 PATIENTS SERVED IS THE NUMBER OF UNDUPLICATED USERS OF
21 HEALTH-CARE SERVICES AND IS NOT THE NUMBER OF VISITS BY A PATIENT.

22 (d) **Provider stabilization fund enterprise support board.**

23 (I) THE PROVIDER STABILIZATION FUND ENTERPRISE SUPPORT BOARD IS
24 CREATED WITHIN THE ENTERPRISE TO SUPPORT THE ENTERPRISE BOARD
25 WITH THE IMPLEMENTATION OF THIS SUBSECTION (5.3). THE PROVIDER
26 STABILIZATION FUND ENTERPRISE SUPPORT BOARD CONSISTS OF NINE
27 MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

1 (A) FIVE MEMBERS WHO ARE ELIGIBLE SAFETY NET PROVIDERS OR
2 WHO REPRESENT ASSOCIATIONS OF ELIGIBLE SAFETY NET PROVIDERS;

3 (B) THREE MEMBERS WHO ARE LOW-INCOME, UNINSURED
4 INDIVIDUALS WHO RELY ON SAFETY NET PROVIDERS FOR HEALTH CARE OR
5 WHO ARE REPRESENTATIVES FROM COLORADO-BASED CONSUMER
6 ADVOCACY ORGANIZATIONS THAT WORK ON SAFETY NET HEALTH-CARE
7 MATTERS; AND

8 (C) ONE MEMBER WHO IS AN EMPLOYEE OF THE STATE
9 DEPARTMENT.

10 (II) (A) THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENTS
11 TO THE PROVIDER STABILIZATION FUND ENTERPRISE SUPPORT BOARD AS
12 SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
13 (5.3)(d), BUT NO LATER THAN AUGUST 1, 2025.

14 (B) MEMBERS OF THE PROVIDER STABILIZATION FUND ENTERPRISE
15 SUPPORT BOARD SERVE AT THE PLEASURE OF THE GOVERNOR. THE TERM
16 OF APPOINTMENT IS THREE YEARS.

17 (C) MEMBERS OF THE PROVIDER STABILIZATION FUND ENTERPRISE
18 SUPPORT BOARD SERVE WITHOUT COMPENSATION AND WITHOUT
19 REIMBURSEMENT FOR EXPENSES.

20 (III) THE PROVIDER STABILIZATION FUND ENTERPRISE SUPPORT
21 BOARD SHALL ELECT A CHAIR AND VICE-CHAIR FROM AMONG ITS PROVIDER
22 AND CONSUMER MEMBERS AND SHALL MEET AS NECESSARY AT THE CALL
23 OF THE CHAIR TO PERFORM ITS FUNCTIONS AS SPECIFIED IN THIS
24 SUBSECTION (5.3)(d).

25 (IV) THE PROVIDER STABILIZATION FUND ENTERPRISE SUPPORT
26 BOARD SHALL CONSULT WITH THE ENTERPRISE BOARD, AS WELL AS THE
27 STATE DEPARTMENT AND THE STATE BOARD AS NECESSARY, IN

1 IMPLEMENTING THIS SUBSECTION (5.3), INCLUDING ASSISTING THE
2 ENTERPRISE IN ADMINISTERING AND PROVIDING OVERSIGHT OF THE
3 PROVIDER STABILIZATION FUND.

4 (e) **Provider stabilization fund report.** (I) BEGINNING
5 SEPTEMBER 1, 2026, AND BY EACH SEPTEMBER 1 THEREAFTER, THE
6 ENTERPRISE BOARD SHALL PREPARE AND SUBMIT AN ANNUAL REPORT
7 CONCERNING THE PROVIDER STABILIZATION FUND TO:

8 (A) THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE
9 OF REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE
10 OF THE SENATE, OR THEIR SUCCESSOR COMMITTEES;

11 (B) THE JOINT BUDGET COMMITTEE;

12 (C) THE GOVERNOR; AND

13 (D) THE STATE BOARD.

14 (II) AT A MINIMUM, THE REPORT MUST INCLUDE:

15 (A) THE NUMBER OF LOW-INCOME, UNINSURED INDIVIDUALS AND
16 THE NUMBER OF MEDICAID, MEDICARE, AND CHILDREN'S BASIC HEALTH
17 PLAN ENROLLEES SERVED BY ELIGIBLE SAFETY NET PROVIDERS THAT
18 RECEIVED PROVIDER STABILIZATION PAYMENTS IN THE IMMEDIATELY
19 PRECEDING FISCAL YEAR;

20 (B) THE ALLOCATION OF MONEY TO ELIGIBLE SAFETY NET
21 PROVIDERS; AND

22 (C) ANY OTHER INFORMATION THAT THE ENTERPRISE BOARD, IN
23 CONSULTATION WITH THE PROVIDER STABILIZATION FUND ENTERPRISE
24 SUPPORT BOARD, DEEMS NECESSARY OR APPROPRIATE.

25 (6) **Appropriations.** (a) (IV) PROVIDER STABILIZATION PAYMENTS
26 FROM THE PROVIDER STABILIZATION FUND PURSUANT TO SUBSECTION (5.3)
27 OF THIS SECTION ARE MADE TO SUPPLEMENT, NOT SUPPLANT, GENERAL

1 FUND APPROPRIATIONS TO SUPPORT SAFETY NET PROVIDER
2 REIMBURSEMENTS.

3 (7) **Colorado healthcare affordability and sustainability**
4 **enterprise board.** (d) The enterprise board has, at a minimum, the
5 following duties:

6 (II) If requested by the health and human services committee of
7 the senate or the ~~public health care~~ and human services committee of the
8 house of representatives, or any successor committees, to consult with the
9 committees on any legislation that may impact the healthcare affordability
10 and sustainability fee, PAYMENTS, or ~~hospital~~ reimbursements established
11 pursuant to this section;

12 (IX) To monitor the impact of the healthcare affordability and
13 sustainability fee AND PROVIDER STABILIZATION PAYMENTS on the broader
14 health-care marketplace;

15 (e) On or before ~~January 15, 2018,~~ and on or before January 15 OF
16 each year, ~~thereafter~~ the enterprise board shall submit a written report to
17 the health and human services committee of the senate and the ~~public~~
18 ~~health care~~ and human services committee of the house of representatives,
19 or any successor committees, the joint budget committee of the general
20 assembly, the governor, and the state board. The report shall include, but
21 need not be limited to:

22 (III.3) AN ITEMIZATION OF THE TOTAL AMOUNT OF PROVIDER
23 STABILIZATION PAYMENTS ALLOCATED TO EACH ELIGIBLE SAFETY NET
24 PROVIDER;

25 (f) (I) The enterprise ~~is~~ AND THE PROVIDER STABILIZATION FUND
26 ENTERPRISE SUPPORT BOARD ARE subject to the open meetings provisions
27 of the "Colorado Sunshine Act of 1972", contained in part 4 of article 6

1 of title 24, and the "Colorado Open Records Act", part 2 of article 72 of
2 title 24.

3 (9) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
4 OTHERWISE REQUIRES:

5 (a) "CHILDREN'S BASIC HEALTH PLAN" HAS THE SAME MEANING AS
6 SET FORTH IN SECTION 25.5-8-103 (2).

7 (b) "ELIGIBLE SAFETY NET PROVIDER" MEANS A SAFETY NET
8 PROVIDER DETERMINED, PURSUANT TO SUBSECTION (5.3)(c) OF THIS
9 SECTION, TO BE ELIGIBLE FOR A PROVIDER STABILIZATION PAYMENT.

10 (c) "ENTERPRISE" MEANS THE COLORADO HEALTHCARE
11 AFFORDABILITY AND SUSTAINABILITY ENTERPRISE CREATED IN
12 SUBSECTION (3) OF THIS SECTION.

13 (d) "ENTERPRISE BOARD" MEANS THE COLORADO HEALTHCARE
14 AFFORDABILITY AND SUSTAINABILITY ENTERPRISE BOARD CREATED IN
15 SUBSECTION (7) OF THIS SECTION.

16 (e) "LOW-INCOME, UNINSURED INDIVIDUAL" MEANS AN
17 INDIVIDUAL:

18 (I) RECEIVING SERVICES FROM A SAFETY NET PROVIDER;

19 (II) WHOSE ANNUAL HOUSEHOLD INCOME IS AT OR BELOW TWO
20 HUNDRED PERCENT OF THE FEDERAL POVERTY GUIDELINE;

21 (III) WHO IS NOT ENROLLED IN MEDICAID, MEDICARE, OR THE
22 CHILDREN'S BASIC HEALTH PLAN; AND

23 (IV) FOR WHOM A THIRD PARTY IS NOT PAYING OR REIMBURSING
24 THE SAFETY NET PROVIDER FOR ALL OR A PORTION OF THE AMOUNT
25 CHARGED FOR THE SERVICES PROVIDED TO THE INDIVIDUAL.

26 (f) "MEDICAID" MEANS A MEDICAL ASSISTANCE PROGRAM UNDER
27 ARTICLES 4 TO 6 OF THIS TITLE 25.5.

1 (g) "MEDICARE" MEANS THE "HEALTH INSURANCE FOR THE AGED
2 ACT", TITLE XVIII OF THE FEDERAL "SOCIAL SECURITY ACT", AS
3 AMENDED.

4 (h) "SAFETY NET PROVIDER" MEANS:

5 (I) A COMPREHENSIVE COMMUNITY BEHAVIORAL HEALTH
6 PROVIDER, AS DEFINED IN SECTION 27-50-101 (11);

7 (II) A RURAL HEALTH CLINIC, AS DEFINED IN 42 U.S.C. SEC. 1395x
8 (aa)(2);

9 (III) A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN 42
10 U.S.C. SEC. 1395x (aa)(4); OR

11 (IV) A HEALTH-CARE PROVIDER THAT IS DELIVERING PRIMARY
12 CARE SERVICES AND AT LEAST FIFTY PERCENT OF WHOSE CLIENT
13 CASELOAD IS INDIVIDUALS WHO ARE ENROLLED IN MEDICAID, MEDICARE,
14 OR THE CHILDREN'S BASIC HEALTH PLAN OR WHO ARE LOW-INCOME,
15 UNINSURED INDIVIDUALS, OR ANY COMBINATION OF SUCH ENROLLEES OR
16 LOW-INCOME, UNINSURED INDIVIDUALS.

17 **SECTION 3.** In Colorado Revised Statutes, 38-13-801, **amend**
18 (1)(c); and **add** (2)(e) and (6) as follows:

19 **38-13-801. Unclaimed property trust fund - creation -**
20 **payments - interest - appropriations - records - rules.** (1) (c) EXCEPT
21 AS PROVIDED IN SUBSECTION (6) OF THIS SECTION, all interest derived from
22 the deposit and investment of money in the trust fund shall be credited to
23 the trust fund. SUCH INTEREST IS NOT FISCAL YEAR SPENDING OF THE
24 STATE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE
25 CONSTITUTION.

26 (2) (e) INTEREST CREDITED, AS REQUIRED BY SUBSECTION (6) OF
27 THIS SECTION, TO THE PROVIDER STABILIZATION FUND CREATED IN

1 SECTION 25.5-4-402.4 (5.3)(a) DOES NOT CONSTITUTE FISCAL YEAR
2 SPENDING OF THE STATE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF
3 THE STATE CONSTITUTION.

4 (6) THE STATE TREASURER SHALL CREDIT INTEREST DERIVED FROM
5 THE DEPOSIT AND INVESTMENT OF MONEY IN THE UNCLAIMED PROPERTY
6 TRUST FUND TO THE PROVIDER STABILIZATION FUND CREATED IN SECTION
7 25.5-4-402.4 (5.3)(a) AS FOLLOWS:

8 (a) ON JULY 1, 2025, TWENTY-FIVE MILLION DOLLARS;

9 (b) ON JULY 1, 2026, TWENTY MILLION DOLLARS; AND

10 (c) ON JULY 1, 2027, AND ON JULY 1 OF EACH STATE FISCAL YEAR
11 THEREAFTER, FIFTEEN MILLION DOLLARS.

12 **SECTION 4. Effective date.** (1) Except as otherwise provided
13 in this section, this act takes effect upon passage.

14 (2) Section 25.5-4-402.4 (5.3)(a)(I)(A), C.R.S., enacted in section
15 2 of this act, and section 3 of this act take effect only if Bill 25-
16 becomes law, in which case section 25.5-4-402.4 (5.3)(a)(I)(A), C.R.S.,
17 enacted in section 2 of this act, and section 3 of this act take effect upon
18 passage of this act or on the effective date of Bill 25- , whichever is
19 later.

20 **SECTION 5. Safety clause.** The general assembly finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety or for appropriations for
23 the support and maintenance of the departments of the state and state
24 institutions.