



COLORADO

Department of Health Care
Policy & Financing

1570 Grant Street
Denver, CO 80203

2024 HCPF Legislative Agenda Overview

January 2024

Presumptive Eligibility for Individuals with Disabilities

This bill will give HCPF statutory authority to pursue an 1115 waiver to expand the population eligible for Presumptive Eligibility (PE) to include individuals with disabilities. PE for people with disabilities facilitates prompt delivery of services in a community setting and can prevent nursing home admissions, or reduce length of stay in a nursing home. PE for Home and Community Based Services (HCBS) can also shorten the length of stay in a hospital while members wait for Medicaid eligibility determination to discharge.

This bill is a technical adjustment to existing language that would:

- Ensure PE is available to both individuals with Intellectual or Developmental Disabilities (IDD) and those who use Long-Term Services and Supports (LTSS);
- Ensure HCPF can request the appropriate federal authority to implement PE, as current authority only allows amendments to the state plan and HCBS waivers;
- Allows both financial (meeting income and asset limits requirements) and functional (meeting level of care requirements) PE.

Revise and Clarify Safety Net Requirements for Primary Care and Hospital Services

This bill will sunset the Colorado Indigent Care Program (CICP) as a distinct program because the funding for CICP clinics was repealed in 2021. It would also add funding to the Primary Care Fund, to provide funding for uninsured Coloradans at 200-250% of the Federal Poverty Line (FPL) who receive care at Federally Qualified Health Centers (FQHCs). Currently, the Primary Care Fund payments to clinics is based only on care provided to uninsured Coloradans up to 200% of FPL. This bill is a companion bill to the Department's [R-6 "Provider Rates Adjustments"](#) budget request.

Interagency Legislative Report Cleanup

This bill will make a variety of technical changes to multiple state agencies' required legislative reports to ensure relevancy, timeliness, accountability and transparency. It will remove duplicative and outdated reporting, reduce administrative burden, align due dates to improve statutory alignment, and create implementation efficiencies.

Improving health care equity, access and outcomes for the people we serve while
saving Coloradans money on health care and driving value for Colorado.

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Multiple agencies support this bill, including: Department of Early Childhood, Department of Human Services, Department of Local Affairs, Department of Health Care Policy and Financing, Department of Natural Resources, Department of Higher Education, Department of Public Safety, Department of Revenue, Office of Economic Development and International Trade, Office of Information Technology, Department of Labor and Employment, and the Office of the Attorney General.

Medicaid for Certain DACA Recipients

This bill will align state law with proposed federal regulations and allow the Department to draw a federal match to cover Deferred Action for Childhood Arrivals (DACA) recipients who meet eligibility requirements under Medicaid, and who are otherwise covered with state-only funds. The proposed federal rule will expand the definition of “lawfully present” to include DACA recipients, which will allow for eligibility under the [CHIPRA 214 option](#). Eligible recipients include pregnant adults and children under nineteen years of age who are qualified noncitizens and meet eligibility criteria other than citizenship. The funding for the DACA recipients is included in the Department’s R-1 “Medical Services Premiums” request.

This bill will also replace outdated language referring to noncitizens in state statute and follow national efforts to remove the term “alien” from state and federal policy.

SB22-200 Rural Stimulus Administrative Funds Extension

This technical change will extend the Department’s authority to use existing *administrative* funds appropriated from the Rural Provider Stimulus Grant Program. It will be included in a broader clean-up bill incorporating other technical changes associated with programs funded from the American Rescue Plan Act. Currently, SB22-200 requires that all money in the fund not expended by July 1, 2024, be reverted to the Economic Recovery and Relief Cash Fund. The federal requirements for these funds must be closely followed, and this proposal extends the deadline through December 2024, allowing HCPF to administer, monitor, and revise grant agreements, if needed, in accordance with federal requirements.

Expand CHP+ to Include Services for People with Autism

Currently, if a child with autism moves from Medicaid to CHP+, that child will lose access to services that address ASD. This bill is a companion to the Department’s [R-9 “Access to Benefits” request](#), which includes funding to expand the Child Health Plan Plus (CHP+) to provide coverage for Autism Spectrum Disorder (ASD) treatments. A statutory change is required to provide this coverage.

2023 INTERIM COMMITTEE LEGISLATION -

The three bills listed below are sponsored by two specific 2023 interim committees. Each bill is a high priority for the Department and will be followed closely with the Department’s support.



Colorado's Child Welfare System Interim Study Committee

Bill C - High-Acuity Crisis for Children & Youth

This bill creates and expands programs for youth who are in, or are at risk of being placed in, out-of-home care. Full summary is available at the [Committee's webpage](#).

Opioid and Other Substance Use Disorders Study Committee

Bill A - Prevention

The bill creates several measures regarding the prevention of substance use disorders, including creating a grant program, modifying the Prescription Drug Monitoring Program (PDMP), creating a data linkage project, establishing procedures for local drug overdose fatality review teams, and providing additional modifications to existing programs, including a provision to give HCPF access to the PDMP for specific purposes.

Bill B - Treatment

The bill creates and expands programs and services for substance use disorder (SUD) treatments. Specifically, the bill:

- Creates the Behavioral Health Diversion Pilot Program
- Provides reentry services under Medicaid
- Provides partial hospitalization services for SUD under Medicaid
- Expands the Colorado Child Care Assistance Program
- Provides safety net Provider Application support services.
- Creates the Contingency Management Grant Program

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