

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0443.01 Brita Darling x2241

HOUSE BILL 14-1358

HOUSE SPONSORSHIP

Young and Joshi, Primavera, Schafer, Tyler

SENATE SPONSORSHIP

Aguilar,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CONTINUATION OF IN-HOME SUPPORT SERVICES, AND, IN
102 CONNECTION THEREWITH, AUTHORIZING IN-HOME SUPPORT
103 SERVICES FOR SPINAL CORD INJURY WAIVER PILOT PROGRAM
104 PARTICIPANTS.

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://www.leg.state.co.us/billsummaries>.)

Sunset Process - House Public Health Care and Human Services Committee. The bill continues in-home support services until

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

September 1, 2019, and requires a review of the program by the department of regulatory agencies prior to repeal.

The bill authorizes persons who are participating in the spinal cord injury waiver program to be eligible for in-home support services.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (45.5) (a); and **add** (50.5) (h) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for termination, continuation, or reestablishment.**

6 (45.5) The following agencies, functions, or both, shall terminate on
7 September 1, 2014:

8 (a) ~~In-home support services, established pursuant to part 12 of~~
9 ~~article 6 of title 25.5, C.R.S.~~

10 (50.5) The following agencies, functions, or both, terminate on
11 September 1, 2019:

12 (h) IN-HOME SUPPORT SERVICES, ESTABLISHED PURSUANT TO PART
13 12 OF ARTICLE 6 OF TITLE 25.5, C.R.S.;

14 **SECTION 2.** In Colorado Revised Statutes, **amend** 25.5-6-1201
15 as follows:

16 **25.5-6-1201. Legislative declaration.** The general assembly finds
17 that there may be a more effective way to deliver home- and
18 community-based services to the elderly, blind, and disabled, ~~and~~ to
19 disabled children, AND TO PERSONS WITH SPINAL CORD INJURIES, that
20 allows for more self direction in their care and a cost savings to the state.
21 The general assembly also finds that every person that is currently
22 receiving home- and community-based services does not need the same
23 level of supervision and care from a licensed health care professional in

1 order to meet his or her care needs and remain living in the community.
2 The general assembly, therefore, declares that it is beneficial to the
3 elderly, blind, and disabled clients of home- and community-based
4 services, ~~and~~ to clients of the disabled children care program, AND TO
5 CLIENTS ENROLLED IN THE SPINAL CORD INJURY WAIVER PILOT PROGRAM,
6 for the state department to develop a service that would allow these
7 people to receive in-home support.

8 **SECTION 3.** In Colorado Revised Statutes, 25.5-6-1202, **amend**
9 (3) (a) as follows:

10 **25.5-6-1202. Definitions.** As used in this part 12, unless the
11 context otherwise requires:

- 12 (3) "Eligible person" means any person who:
- 13 (a) Is ~~eligible for~~ ENROLLED IN home- and community-based
14 services ~~under~~ PURSUANT TO part 3 of this article, IS ENROLLED IN THE
15 SPINAL CORD INJURY WAIVER PILOT PROGRAM PURSUANT TO PART 13 OF
16 THIS ARTICLE, or is ~~eligible for~~ ENROLLED IN the disabled children care
17 program ~~under~~ PURSUANT TO section 25.5-6-901;

18 **SECTION 4.** In Colorado Revised Statutes, **amend** 25.5-6-1207
19 as follows:

20 **25.5-6-1207. Repeal of part.** This part 12 is repealed, effective
21 September 1, ~~2014~~ 2019. Prior to such repeal, in-home support services
22 established under this part 12 shall be reviewed as provided for in section
23 24-34-104, C.R.S.

24 **SECTION 5. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2014 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.