

CHAPTER 335

HEALTH CARE POLICY AND FINANCING

HOUSE BILL 25-1162

BY REPRESENTATIVE(S) Feret, Bacon, Boesenecker, Brown, Duran, Garcia, Gilchrist, Joseph, Lieder, Lindsay, Marshall, Rutinel, Rydin, Stewart K., Valdez, Woodrow, McCluskie;
also SENATOR(S) Daugherty, Amabile, Cutter, Exum, Jodeh, Kipp, Michaelson Jenet, Mullica, Wallace, Weissman, Coleman.

AN ACT**CONCERNING REDETERMINATION OF ELIGIBILITY FOR INDIVIDUALS ENROLLED IN THE STATE MEDICAL ASSISTANCE PROGRAM.**

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

SECTION 1. In Colorado Revised Statutes, 25.5-4-205, **add (3)(b)(I.5)(H)** as follows:

25.5-4-205. Application - verification of eligibility - demonstration project - rules. (3) (b) (I.5) (H) ON OR BEFORE JULY 1, 2028, THE STATE DEPARTMENT SHALL SEEK ANY NECESSARY FEDERAL AUTHORIZATION TO ALLOW THE STATE DEPARTMENT TO DETERMINE A MEMBER'S ELIGIBILITY FOR REENROLLMENT WITHOUT CHECKING FEDERALLY APPROVED ELECTRONIC DATA SOURCES OR REQUESTING ADDITIONAL VERIFICATION, IF THE MEMBER'S INCOME CONSISTS SOLELY OF SOCIAL SECURITY INCOME OR OTHER SOURCE OF STABLE INCOME OR ASSETS. THE DEPARTMENT, IN CONSULTATION WITH MEDICAID MEMBERS AND ADVOCACY GROUPS, SHALL MAKE A REASONABLE DETERMINATION OF WHAT TYPES OF INCOME AND ASSETS ARE CONSIDERED STABLE OR EXPECTED TO DECREASE IN VALUE AND ASSUME NO CHANGE IN THOSE INCOME SOURCES OR ASSETS WITHOUT CHECKING FEDERALLY APPROVED ELECTRONIC DATA SOURCES OR REQUESTING ADDITIONAL VERIFICATION. ON OR BEFORE JULY 1, 2028, THE STATE DEPARTMENT SHALL SEEK ANY NECESSARY FEDERAL AUTHORIZATION TO ALLOW THE STATE DEPARTMENT TO DETERMINE A MEMBER'S ELIGIBILITY FOR REENROLLMENT WITHOUT REQUIRING ADDITIONAL VERIFICATION OF THE MEMBER'S INCOME OR ASSETS, IF THE MEMBER'S INCOME OR ASSETS HAS NOT CHANGED SINCE THE INITIAL VERIFICATION THAT TOOK PLACE DURING THE APPLICATION PROCESS OR AS SPECIFIED THROUGH FEDERAL AUTHORIZATION.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. In Colorado Revised Statutes, **add** 25.5-6-117 as follows:

25.5-6-117. Determination of need-based services - professional medical information document - definition. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "PROFESSIONAL MEDICAL INFORMATION DOCUMENT" MEANS DOCUMENTED MEDICAL INFORMATION SIGNED BY A LICENSED MEDICAL PROFESSIONAL AND USED AS A COMPONENT OF THE FUNCTIONAL ASSESSMENT FOR LONG-TERM SERVICES AND SUPPORTS THAT VERIFIES A MEMBER'S NEED FOR LONG-TERM SERVICES AND SUPPORTS.

(2) ON OR BEFORE DECEMBER 31, 2026, THE STATE DEPARTMENT SHALL MODIFY THE PROFESSIONAL MEDICAL INFORMATION DOCUMENT USED TO ASSESS A MEMBER'S NEED FOR LONG-TERM SERVICES AND SUPPORTS TO REDUCE THE NUMBER OF MEDICAL QUESTIONS REQUIRED IN THE DOCUMENTATION THAT ARE OBTAINED FROM MEDICAL PROFESSIONALS.

(3) A TREATING LICENSED MEDICAL PROFESSIONAL, AS DEFINED IN RULE BY THE STATE BOARD AS IT RELATES TO HOME- AND COMMUNITY-BASED SERVICES, WHO HAS A BONA FIDE PHYSICIAN-PATIENT RELATIONSHIP WITH A MEMBER SHALL SIGN A PROFESSIONAL MEDICAL INFORMATION DOCUMENT FOR THE MEMBER.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 31, 2025