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Attachment E

MEMORANDUM

May 2, 2013

TO: Senator Hodge
Members of the Senate Health and Human Services Committee

FROM: Kerry White, Fiscal Analyst, (303-866-3469)

SUBJECT: Fiscal Assessment of Proposed Amendment **HB1314_L.004**.

This memorandum is an assessment of the fiscal impact of the attached proposed amendment to **HB13-1314**. This fiscal assessment is for the impact of the bill with inclusion of this amendment only. Any other added amendment could influence the fiscal impact.

Summary of Proposed Amendment

Amendment L.004 directs the State Treasurer to transfer any unexpended General Fund moneys appropriated for Medicaid waiver programs and family support services for persons with intellectual and developmental disabilities to the newly renamed Intellectual and Developmental Disabilities Services Cash Fund at the end of the current FY 2012-13.

Fiscal Impact of Amendment

Amendment L.004 does not alter the impact of the bill as shown in the fiscal note dated April 26, 2013, but rather preserves the designation of any unexpended General Fund appropriations for services for persons with intellectual and developmental disabilities and reduces the amount of surplus General Fund available for transfer to the State Education Fund as required under House Bill 12-1338. If Amendment L.004 is adopted, it is assumed that due to current underutilization issues, up to \$7.5 million may transfer to the Intellectual and Developmental Disabilities Services Cash Fund on June 30, 2013, rather than revert to the General Fund. Amendment L.004 does not increase expenditures or require additional appropriations because neither the bill nor current law authorizes the expenditure of these moneys without an appropriation.

Bill's Revised Fiscal Impact with Amendment

A revised fiscal note would show the impact of Amendment L.004 in the State Transfers section and note that the moneys would remain in the cash fund until appropriated by the General Assembly.

HB1314_L.004

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB13-1314 be amended as follows:

- 1 Amend reengrossed bill, page 3, line 21, strike "ON" and substitute "BY".
- 2 Page 3, line 27, strike "ON MARCH 1, 2014, ALL" and substitute "ALL".
- 3 Page 4, line 7, strike "ON" and substitute "BY".
- 4 Page 28, line 17, after "the" insert "INTELLECTUAL AND".
- 5 Page 28, line 18, strike "assembly." and substitute "assembly AND ANY
- 6 MONEYS TRANSFERRED TO THE INTELLECTUAL AND DEVELOPMENTAL
- 7 DISABILITIES SERVICES CASH FUND PURSUANT TO SUBSECTION (1.5) OF
- 8 THIS SECTION."
- 9 Page 28, line 19, before "developmental" insert "INTELLECTUAL AND".
- 10 Page 28, after line 22, insert:

11 "(1.5) THE STATE TREASURER SHALL TRANSFER TO THE
12 DEVELOPMENTAL DISABILITIES SERVICES CASH FUND ANY AVAILABLE
13 MONEYS THAT ARE APPROPRIATED BY THE GENERAL ASSEMBLY FOR A
14 FISCAL YEAR FOR ADULT COMPREHENSIVE SERVICES, ADULT SUPPORTED
15 LIVING SERVICES, CHILDREN'S EXTENSIVE SUPPORT SERVICES, AND FAMILY
16 SUPPORT SERVICES FOR PERSONS WITH INTELLECTUAL AND
17 DEVELOPMENTAL DISABILITIES PROVIDED PURSUANT TO THIS ARTICLE OR
18 PART 4 OF ARTICLE 6 OF THIS TITLE THAT ARE UNEXPENDED AND
19 UNENCUMBERED AT THE END OF A FISCAL YEAR."
- 20 Page 29, line 1, after the first "services," insert "CHILDREN'S EXTENSIVE
21 SUPPORT SERVICES,".
- 22 Page 29, line 5, before "developmental" insert "INTELLECTUAL AND".
- 23 Page 29, line 8, before "developmental" insert "INTELLECTUAL AND".
- 24 Page 29, line 10, after the second "services," insert "CHILDREN'S
25 EXTENSIVE SUPPORT SERVICES,".
- 26 Page 29, line 18, before "developmental" insert "INTELLECTUAL AND".



1 Page 29, line 22, before "developmental" insert "INTELLECTUAL AND".

2 Page 94, before line 21 insert:

3 "SECTION 5. In Colorado Revised Statutes, 27-10.5-104.2,
4 **amend** (1), (2), and (3) (a); and **add** (1.5) as follows:

5 **27-10.5-104.2. Services and supports - waiting list reduction**
6 **- cash fund.** (1) There is hereby created in the state treasury the
7 developmental disabilities services cash fund, consisting of moneys
8 appropriated thereto by the general assembly AND ANY MONEYS
9 TRANSFERRED TO THE DEVELOPMENTAL DISABILITIES SERVICES CASH FUND
10 PURSUANT TO SUBSECTION (1.5) OF THIS SECTION. Any interest derived
11 from the deposit and investment of moneys in the developmental
12 disabilities services cash fund shall be credited to the fund. Any moneys
13 remaining in the fund at the end of a fiscal year shall remain in the fund
14 and shall not revert to the general fund or any other fund.

15 (1.5) THE STATE TREASURER SHALL TRANSFER TO THE
16 DEVELOPMENTAL DISABILITIES SERVICES CASH FUND ANY AVAILABLE
17 MONEYS THAT ARE APPROPRIATED BY THE GENERAL ASSEMBLY FOR A
18 FISCAL YEAR FOR ADULT COMPREHENSIVE SERVICES, ADULT SUPPORTED
19 LIVING SERVICES, CHILDREN'S EXTENSIVE SUPPORT SERVICES, AND FAMILY
20 SUPPORT SERVICES FOR PERSONS WITH INTELLECTUAL AND
21 DEVELOPMENTAL DISABILITIES PROVIDED PURSUANT TO THIS ARTICLE OR
22 PART 4 OF ARTICLE 6 OF TITLE 25.5, C.R.S., THAT ARE UNEXPENDED AND
23 UNENCUMBERED AT THE END OF A FISCAL YEAR.

24 (2) During each regular session of the general assembly, the joint
25 budget committee and the health and human services committees of the
26 senate and the house of representatives, or any successor committees,
27 shall hold a joint hearing and take public testimony on the status of the
28 waiting lists for adult comprehensive services, adult supported living
29 services, CHILDREN'S EXTENSIVE SUPPORT SERVICES, and family support
30 services for persons with developmental disabilities and the availability
31 of general fund moneys to reduce the number of persons on the waiting
32 lists and the amount of time eligible persons wait for such services. The
33 goal of the hearing shall be to propose an appropriation from the general
34 fund to the developmental disabilities services cash fund.

35 (3) The general assembly may annually appropriate moneys in the
36 developmental disabilities services cash fund to:

37 (a) The department for program costs for adult comprehensive
38 services, adult supported living services, CHILDREN'S EXTENSIVE SUPPORT
39 SERVICES, and family support services for persons with developmental
40 disabilities provided pursuant to this article or part 4 of article 6 of title
41 25.5, C.R.S.; and".



- 1 Renumber succeeding sections accordingly.
- 2 Page 123, line 23, strike "subsection (2)" and substitute "subsections (2)
- 3 and (3)".
- 4 Page 123, line 24, strike "Section" and substitute "Part 1 of article 10 of
- 5 title 25.5, Colorado Revised Statutes, as enacted in section".
- 6 Page 123, after line 24 insert:
- 7 "(3) Section 5 of the bill takes effect upon passage."

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