

Health Care Trends to Expect in the 2014 Session



Question:

Will 2014 Be A Year of Watershed Health Care Legislation?

The Short Answer: No.

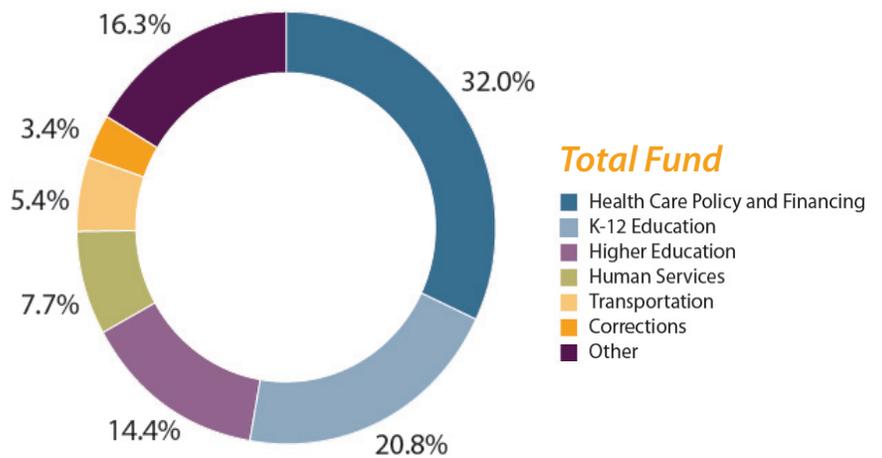
The Longer Answer: We expect the attention of the General Assembly to turn to health reform clean-up, outcomes of a number of legislative task forces and a grab bag of other initiatives.

Legislators will be monitoring implementation of Medicaid expansion and the continued rollout of the Affordable Care Act. Education may be the issue to take center stage, particularly funding and oversight of K-12 and higher ed.

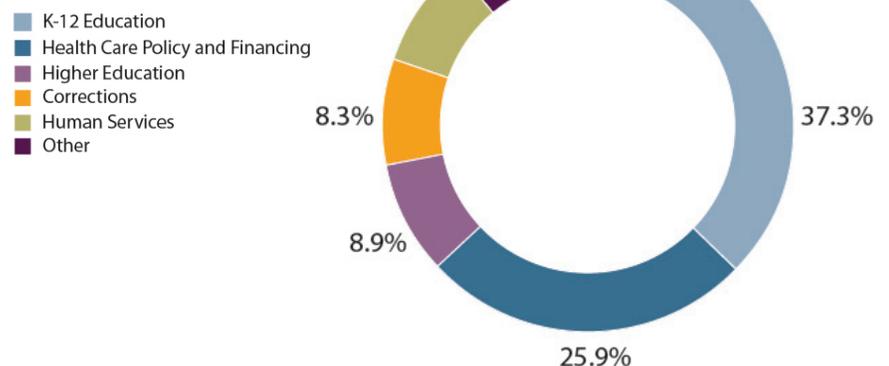
As for the political calculus, it will change as a result of the 2014 elections and the recalls of two Democratic state senators because of their support of gun laws.

THE BUDGET

Governor John Hickenlooper's proposed budget for Fiscal Year 2014-15 calls for near across-the-board spending increases for most departments, reflecting economic optimism and the continued growth of state revenues. The governor's spending plan includes funding for caseload increases in health care and safety net programs and a focus on programs for people with developmental disabilities.



General Fund



Colorado Department of Health Care Policy and Financing



Highlights:

- Funds to support Medicaid caseload expansion.
- Increases Medicaid provider rates by 1.5 percent.
- New resources for programs that serve people with developmental disabilities.
- New project: The Primary Care Specialty Collaborative.

Colorado Department of Human Services



Highlights:

- 1.5 percent rate increase for community providers.
- Funding to enhance the quality of early childhood programs.
- Investment in the Colorado Mental Health Institutes.

Note: Decrease reflects transfer of some programs to Department of Health Care Policy and Financing.

Colorado Department of Public Health and Environment



Highlights:

- \$7.1 million from the Medical Marijuana Cash Fund for research on health effects of marijuana on various diseases and disorders.
- \$12 million to support community improvements in wastewater and drinking water infrastructure.

Note: Total funding includes federal matching dollars.

THE POLITICAL LANDSCAPE

The balance of power in the Colorado House will be the same as in 2013, with Democrats solidly in control (37-28). The Senate is another story. The Democrats enter 2014 with a one-seat majority (18-17), down from a five-seat advantage (20-15), after the recalls of senators John Morse and Angela Giron. This tilt could make it more difficult to get controversial measures passed. In addition, the governor is running for re-election through this legislative session.

Membership of health committees in both chambers:

2014 Senate Health and Human Services Committee

Democrats

- Sen. Irene Aguilar
Chair
- Sen. Linda Newell
Vice-Chair
- Sen. Jeanne Nicholson
- Sen. John Kefalas

Republicans

- Sen. Kevin Lundberg
- Sen. Owen Hill
Ranking Member
(replacing Sen. Ellen Roberts)
- Sen. Larry Crowder

2014 House Health Insurance and Environment Committee

Democrats

- Rep. Beth McCann
Chair
- Rep. Sue Schafer
Vice-Chair
- Rep. Rhonda Fields
- Rep. Joann Ginal
- Rep. Dianne Primavera
- Rep. Jonathan Singer

Republicans

- Rep. Janak Joshi
Ranking Member
- Rep. Steve Humphrey
- Rep. Lois Landgraf
- Rep. Frank McNulty
- Rep. Spencer Swalm



2014 House Public Health Care & Human Services Committee

Democrats

- Rep. Dianne Primavera
Chair
- Rep. Dave Young
Vice-Chair
- Rep. Joann Ginal
- Rep. Beth McCann
- Rep. Sue Schafer
- Rep. Jonathan Singer
- Rep. Max Tyler

Republicans

- Rep. Amy Stephens
Ranking Member
- Rep. Kathleen Conti
- Rep. Janak Joshi
- Rep. Justin Everett
- Rep. Jim Wilson
- Rep. Lois Landgraf

EXPECTED LEGISLATION

Here are the key health policy themes the Colorado Health Institute expects in 2014.

Theme One: Health Reform Clean-Up

January marks the beginning of almost all of the major reforms outlined in the 2010 Affordable Care Act (ACA). Colorado has prepared for these changes, but may continue to discuss and provide oversight related to:

- The performance of the Connect for Health Colorado insurance marketplace.
- The new adult dental benefit for Medicaid enrollees.
- The Medicaid eligibility expansion approved during the last session.

The legislature may also consider several bills aimed at clarification, including:

- **Pediatric dental insurance:** Clarifying state authority to address differences between insurance offerings inside and outside of the Connect for Health Colorado marketplace.
- **Aligning Medicaid eligibility categories:** Streamlining more than 20 eligibility categories into four, bringing Colorado policies in line with the ACA.

Theme Two: Outcomes of Task Forces and Committees

Several issues will be brought before the legislature based on the actions of legislatively mandated taskforces or regulatory requirements.

- Legislators will consider policies based on the recommendations of the Civil Commitment Taskforce, which was charged with aligning – as best possible – language

around mental health, substance abuse and alcohol commitments.

- Sunset reviews will be part of the legislative agenda. The Department of Regulatory Agencies has developed more than a dozen reports recommending actions by the legislature. The Dental Practice Act is among several health-related bills up for review. The dental bill may heat up, since many recommendations supported by stakeholders were not included in the DORA report. Other health-related sunset reviews include: home care agencies' in-home support services, and continuation of NPATCH – the Nurse-Physician Advisory Task Force.
- Two other issues are worth watching, though they may not rise to legislative debate:
 - CDPHE convened a task force that that recommended changes to Colorado's personal belief exemption for immunizations, among other things. An immunization bill may not come forward this session, but debate is expected to be lively. This work of the task force has the support of the Colorado Children's Coalition for Immunization and the Children's Hospital.
 - The Economic Opportunity Poverty Reduction Task Force, enacted by 2009 legislation, is charged with increasing access to economic and educational opportunities and reduce poverty by 50 percent before 2019.

Theme Three: The Grab Bag

- **Free-Standing Emergency Departments.** There are two types of FSEDs: hospital-based and independent, prompting calls to ensure consistent marketing and operating standards for FSEDs.
- **Suicide Prevention.** Suicide continues to be one of the leading causes of death among Coloradans. Legislation may be introduced that would require mental health professionals to receive suicide prevention training at the time of licensure renewal. Other medical professionals and teachers may also be included.
- **Breast and Cervical Cancer Prevention and Treatment fund.** At the end of FY 2013-14, the legislation authorizing the Breast and Cervical Cancer Prevention and Treatment Fund will sunset. Continuation of the program would require statutory changes and there is interest in seeing the program extended.
- **Technical Change for Nursing Facility Rates.** The Nursing Facility Provider Fee Advisory Board at HCPF is working on legislation to make a technical change that will align the state statute with HCPF's practice for handling prior year rate adjustments to help reduce the risk of provider appeals.
- **Obesity Caucus.** A caucus is being formed by Reps. Millie Hamner and Dianne Primavera along with Sen. Larry Crowder to study the issue of obesity in Colorado. Topics of interest include physical education requirements and sugar-sweetened beverages.