

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0528.02 Anna Petrini x5497

HOUSE BILL 24-1322

HOUSE SPONSORSHIP

Brown and Bird,

SENATE SPONSORSHIP

Kirkmeyer and Rodriguez,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE DEPARTMENT OF HEALTH CARE POLICY AND**
102 **FINANCING CONDUCTING A FEASIBILITY STUDY TO DETERMINE**
103 **WHETHER TO SEEK FEDERAL AUTHORIZATION TO PROVIDE**
104 **SERVICES THAT ADDRESS MEDICAID MEMBERS'**
105 **HEALTH-RELATED SOCIAL NEEDS.**

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://leg.colorado.gov>.)

The bill directs the department of health care policy and financing (state department) to conduct a feasibility study (study) to explore the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

feasibility of seeking federal authorization to provide nutrition and housing services that address medicaid members' health-related social needs (HRSN). The state department shall report the study's findings to the joint budget committee on or before November 10, 2024. The study and report must address integrating HRSN services with existing housing-related and nutrition-related services.

The bill requires the state department to seek federal authorization to provide HRSN services no later than July 1, 2025, if seeking federal authorization would be budget neutral.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 25.5-5-337** as
3 follows:

4 **25.5-5-337. Coverage for services addressing health-related**
5 **social needs feasibility study - federal authorization - report - rules.**

6 (1) (a) THE STATE DEPARTMENT SHALL STUDY THE FEASIBILITY OF
7 PROVIDING NUTRITION AND HOUSING SERVICES THAT ADDRESS MEMBERS'
8 HEALTH-RELATED SOCIAL NEEDS IN ORDER TO DETERMINE WHETHER TO
9 SEEK A FEDERAL AUTHORIZATION TO PROVIDE THE SERVICES.

10 (b) THE FEASIBILITY STUDY MUST ADDRESS THE COSTS,
11 IMPLEMENTATION FACTORS, AFFECTED POPULATIONS, FEDERAL AND STATE
12 FUNDING MECHANISMS, AND TIMELINE FOR THE STATE DEPARTMENT TO
13 SEEK A FEDERAL AUTHORIZATION THAT, AT A MINIMUM, PROVIDES:

14 (I) HOUSING-RELATED SERVICES, INCLUDING UP TO SIX MONTHS OF
15 RENTAL ASSISTANCE OR TEMPORARY HOUSING AND UTILITY ASSISTANCE,
16 WHERE APPLICABLE, FOR:

17 (A) INDIVIDUALS TRANSITIONING OUT OF INSTITUTIONAL CARE OR
18 A CONGREGATE CARE SETTING;

19 (B) INDIVIDUALS WHO ARE EXPERIENCING HOMELESSNESS, AT RISK
20 OF HOMELESSNESS, OR TRANSITIONING OUT OF AN EMERGENCY SHELTER,

1 NONCONGREGATE SHELTER, OR MICRO-COMMUNITY; AND

2 (C) YOUTH TRANSITIONING OUT OF THE CHILD WELFARE SYSTEM
3 OR OTHER OUT-OF-HOME PLACEMENTS; AND

4 (II) NUTRITION-RELATED SERVICES, INCLUDING UP TO THREE
5 MEDICALLY TAILORED MEALS PER DAY, INITIALLY FOR UP TO SIX MONTHS
6 WITH THE POSSIBILITY OF CONTINUING THE MEALS FOR AN ADDITIONAL
7 TWO TO SIX MONTHS UPON A STATE DEPARTMENT DETERMINATION TO
8 CONTINUE THE MEALS, DELIVERED TO A MEMBER'S HOME OR OTHER
9 PRIVATE RESIDENCE IF THE MEMBER HAS A SEVERE ILLNESS OR MULTIPLE
10 CHRONIC CONDITIONS.

11 (c) THE FEASIBILITY STUDY MUST ALSO ADDRESS THE COSTS,
12 IMPLEMENTATION FACTORS, TIMELINE, PROVIDER TYPES, SETTINGS, AND
13 FULL RANGE OF SERVICES TO BE COVERED FOR THE STATE DEPARTMENT TO
14 SEEK A FEDERAL AUTHORIZATION THAT PROVIDES:

15 (I) PRE-TENANCY AND TENANCY-SUSTAINING SERVICES,
16 INCLUDING, BUT NOT LIMITED TO, TENANT RIGHTS EDUCATION AND
17 EVICTION PREVENTION;

18 (II) HOUSING TRANSITION NAVIGATION SERVICES, INCLUDING, BUT
19 NOT LIMITED TO, INDIVIDUALIZED CASE MANAGEMENT, SKILLS BUILDING,
20 AND PEER SUPPORT SERVICES;

21 (III) ONE-TIME HOUSING TRANSITION AND MOVING COSTS,
22 INCLUDING, BUT NOT LIMITED TO, SECURITY DEPOSITS; FIRST MONTH'S
23 RENT; MOVERS; RELOCATION EXPENSES; AND COSTS ASSOCIATED WITH
24 UTILITY ACTIVATION, IDENTIFICATION REQUIREMENTS, AND HOUSING
25 APPLICATIONS AND INSPECTIONS;

26 (IV) PANTRY STOCKING OR UP TO THREE MEALS PER DAY,
27 DELIVERED TO THE MEMBER'S HOME OR OTHER PRIVATE RESIDENCE FOR A

1 CHILD OR YOUTH UNDER TWENTY-ONE YEARS OF AGE OR A PREGNANT
2 PERSON FOR UP TO SIX MONTHS; AND

3 (V) NUTRITION PRESCRIPTIONS THAT ARE TARGETED TO
4 MEDICALLY VULNERABLE POPULATIONS, AS DETERMINED BY THE STATE
5 DEPARTMENT, AND TAILORED TO THE MEMBER'S HEALTH AND SOCIAL RISK,
6 NUTRITION-SENSITIVE HEALTH CONDITIONS, OR HAVE A DEMONSTRATED
7 OUTCOME IMPROVEMENT, INCLUDING FRUIT AND VEGETABLE
8 PRESCRIPTIONS AND PROTEIN BOXES FOR UP TO SIX MONTHS.

9 (2) IN ADDITION TO THE STUDY TOPICS DETAILED IN SUBSECTION
10 (1) OF THIS SECTION, THE FEASIBILITY STUDY MUST ADDRESS HOW TO
11 BEST:

12 (a) ENSURE THE HOUSING-RELATED SERVICES DESCRIBED IN
13 SUBSECTION (1) OF THIS SECTION SUPPLEMENT AND INTEGRATE WITH
14 OTHER EXISTING HOUSING-RELATED SERVICES;

15 (b) COORDINATE ELIGIBILITY AND PRIORITY DETERMINATIONS FOR
16 THE HOUSING-RELATED SERVICES DESCRIBED IN SUBSECTION (1) OF THIS
17 SECTION WITH EXISTING PROCESSES, INCLUDING WAIT LISTS AND
18 COORDINATED ENTRY SYSTEMS;

19 (c) ALIGN TEMPORARY HOUSING ASSISTANCE DESCRIBED IN
20 SUBSECTION (1)(b)(I) OF THIS SECTION WITH EXISTING LONG-TERM RENTAL
21 ASSISTANCE PROGRAM REQUIREMENTS AND PROCESSES;

22 (d) ENSURE THE NUTRITION-RELATED SERVICES DESCRIBED IN
23 SUBSECTION (1) OF THIS SECTION SUPPLEMENT RATHER THAN SUPPLANT
24 EXISTING FEDERAL, STATE, AND LOCAL NUTRITION-RELATED SERVICES;

25 (e) COORDINATE WITH STATE AGENCIES AND COUNTY
26 DEPARTMENTS TO CONNECT MEMBERS EXPERIENCING FOOD INSECURITY TO
27 OTHER STATE AND FEDERAL NUTRITION PROGRAMS, INCLUDING THE

1 FEDERAL SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS,
2 AND CHILDREN, 42 U.S.C. SEC. 1786, AS AMENDED; THE SUPPLEMENTAL
3 NUTRITION ASSISTANCE PROGRAM, ESTABLISHED IN PART 3 OF ARTICLE 2
4 OF TITLE 26; AND TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, AS
5 DEFINED IN SECTION 26-2-703;

6 (f) COORDINATE WITH OTHER STATE AND LOCAL HOUSING
7 AUTHORITIES TO ASSIST MEMBERS IN OBTAINING OTHER EXISTING
8 HOUSING-RELATED SERVICES;

9 (g) ENSURE THAT ALL HEALTH-RELATED SOCIAL NEEDS SERVICES
10 PROVIDED PURSUANT TO SUBSECTION (1) OF THIS SECTION ARE:

11 (I) MEDICALLY APPROPRIATE, AS DETERMINED BY STATE-DEFINED
12 CLINICAL AND SOCIAL RISK CRITERIA;

13 (II) TARGETED TO MEMBERS WITH A NEED FOR THE SERVICES THAT
14 IS DOCUMENTED IN THE MEMBER'S CARE PLAN OR MEDICAL RECORD; AND

15 (III) OPTIONAL FOR MEMBERS, WHO MAY OPT OUT AT ANY TIME;

16 (h) PREVENT ENROLLMENT IN THE STATE MEDICAL ASSISTANCE
17 PROGRAM OR ANY OTHER PROGRAM ADMINISTERED BY THE STATE
18 DEPARTMENT FROM BEING CONDITIONED ON A MEMBER'S RECEIPT OF
19 HEALTH-RELATED SOCIAL NEEDS SERVICES; AND

20 (i) UTILIZE MANAGED CARE ENTITIES, AS DEFINED IN SECTION
21 25.5-5-403, TO COORDINATE SERVICES THAT ADDRESS THE
22 HEALTH-RELATED SOCIAL NEEDS OF MEMBERS DESCRIBED IN SUBSECTION
23 (1) OF THIS SECTION.

24 (3)(a) IN CONDUCTING THE FEASIBILITY STUDY PURSUANT TO THIS
25 SECTION, THE STATE DEPARTMENT SHALL DETERMINE:

26 (I) WHAT PROVIDER TYPES MAY BE REIMBURSED FOR
27 HOUSING-RELATED SERVICES, WHICH MUST NOT BE LIMITED TO CLINICAL

1 PROVIDERS;

2 (II) THE TYPES OF HOUSING-RELATED SERVICES, INCLUDING
3 SUPPORTIVE OR WRAPAROUND SERVICES, THAT ARE REQUIRED TO KEEP
4 PEOPLE STABLY HOUSED AND THAT ARE AVAILABLE FOR REIMBURSEMENT,
5 INCLUDING, BUT NOT LIMITED TO, CASE MANAGEMENT, ON-SITE PHYSICAL
6 AND BEHAVIORAL HEALTH CARE, PEER SUPPORT SERVICES, SKILL-BUILDING
7 SERVICES, AND NAVIGATION SERVICES; AND

8 (III) THE HOUSING SETTINGS IN WHICH HOUSING-RELATED
9 SERVICES MAY BE PROVIDED, INCLUDING, BUT NOT LIMITED TO,
10 TRADITIONAL CONGREGATE SHELTERS, NONCONGREGATE SHELTERS, AND
11 MICRO-COMMUNITIES, WHERE PEOPLE ARE TRANSITIONALLY HOUSED.

12 (b) IN DETERMINING THE REIMBURSEMENT METHODOLOGY FOR
13 HOUSING-RELATED SERVICES PURSUANT TO SUBSECTION (3)(a) OF THIS
14 SECTION, THE STATE DEPARTMENT SHALL CONSIDER A PER MEMBER PER
15 MONTH LUMP SUM PAYMENT COMBINED WITH HOUSING VOUCHERS AND
16 OTHER AVAILABLE SUBSIDIES RATHER THAN A DIRECT REIMBURSEMENT
17 MODEL.

18 (c) IN CONDUCTING THE FEASIBILITY STUDY PURSUANT TO THIS
19 SECTION, THE STATE DEPARTMENT SHALL CONSIDER HOW BEST TO
20 LEVERAGE AVAILABLE STATE-DESIGNATED HEALTH PROGRAM FUNDING.

21 (4) IN CONDUCTING THE FEASIBILITY STUDY PURSUANT TO THIS
22 SECTION, THE STATE DEPARTMENT SHALL TAKE INTO CONSIDERATION
23 EXAMPLES OF FEDERAL AUTHORIZATIONS GRANTED TO OTHER STATES IN
24 ORDER TO STREAMLINE THE DEVELOPMENT OF A POTENTIAL FEDERAL
25 AUTHORIZATION FOR HEALTH-RELATED SOCIAL NEEDS IN COLORADO AND
26 INCREASE THE LIKELIHOOD OF ITS APPROVAL.

27 (5) IF, IN CONDUCTING THE FEASIBILITY STUDY PURSUANT TO THIS

1 SECTION, THE STATE DEPARTMENT DETERMINES THAT PROVIDING
2 NUTRITION AND HOUSING SERVICES THAT ADDRESS MEMBERS'
3 HEALTH-RELATED SOCIAL NEEDS THROUGH FEDERAL AUTHORIZATION
4 WOULD BE BUDGET NEUTRAL TO THE GENERAL FUND DUE TO OFFSETTING
5 REDUCTIONS IN MEDICAL SERVICES EXPENDITURES AND OTHER STATE
6 EXPENDITURES, THEN THE STATE DEPARTMENT SHALL SEEK FEDERAL
7 AUTHORIZATION NO LATER THAN JULY 1, 2025, TO PROVIDE ANY OF THE
8 NUTRITION AND HOUSING SERVICES DESCRIBED IN THIS SECTION.

9 (6) ON OR BEFORE NOVEMBER 10, 2024, THE STATE DEPARTMENT
10 SHALL SUBMIT A REPORT DETAILING THE FINDINGS AND
11 RECOMMENDATIONS FROM THE FEASIBILITY STUDY TO THE JOINT BUDGET
12 COMMITTEE. IF THE DETERMINATION TO SEEK FEDERAL AUTHORIZATION
13 IS MADE PURSUANT TO SUBSECTION (5) OF THIS SECTION, THE STATE
14 DEPARTMENT SHALL NOTIFY THE JOINT BUDGET COMMITTEE IN THE STATE
15 DEPARTMENT'S REPORT OF THE STATE DEPARTMENT'S INTENT TO SEEK
16 FEDERAL AUTHORIZATION PURSUANT TO SUBSECTION (5) OF THIS SECTION.
17 THE STATE DEPARTMENT SHALL ALSO NOTIFY THE JOINT BUDGET
18 COMMITTEE OF THE COST OF NUTRITION AND HOUSING SERVICES THAT
19 ADDRESS MEMBERS' HEALTH-RELATED SOCIAL NEEDS THROUGH FEDERAL
20 AUTHORIZATION IF THE STATE DEPARTMENT DETERMINES THAT NUTRITION
21 AND HOUSING SERVICES THAT ADDRESS MEMBERS' HEALTH-RELATED
22 SOCIAL NEEDS WOULD NOT BE BUDGET NEUTRAL.

23 (7) THE STATE DEPARTMENT MAY HIRE A CONSULTANT TO ASSIST
24 WITH DEVELOPING THE FEASIBILITY STUDY AND RELATED REPORT, THE
25 PROCESS OF SEEKING FEDERAL AUTHORIZATION, AND ANY RESULTING
26 MONITORING, RENEWAL, OR AMENDMENT PROCESSES.

27 (8) THE STATE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND

1 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
2 THE PURPOSES OF CONDUCTING THE FEASIBILITY STUDY PURSUANT TO THIS
3 SECTION.

4 (9) THE STATE BOARD SHALL PROMULGATE ANY RULES NECESSARY
5 TO IMPLEMENT AND ADMINISTER THIS SECTION.

6 (10) THE STATE DEPARTMENT SHALL CONTINUE TO COVER THE
7 COSTS OF CURRENT HOUSING-RELATED SUPPORTIVE SERVICES THROUGH
8 THE STATEWIDE SUPPORTIVE SERVICES EXPANSION PILOT PROGRAM UNTIL
9 FEDERAL AUTHORIZATION IS GRANTED.

10 **SECTION 2. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.