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**February, 2012**

### **The President's Message** Bob Epstein

The Colorado 2012 State Legislative Session has been in progress for nearly seven weeks. During this period 450+ bills have been introduced. The subjects are varied, some wordy, some costly if adopted, some necessary and some questionable as to purpose.

The Colorado Senior Lobby (CSL) to date is tracking 42 Bills of which 12 have already been Postponed Indefinitely (PI $\phi$ ). Eight of these bills were related to changing the provisions of the Public Employees Retirement Administration (PERA) in their methodology of applying the retirement system for state and some local government employees as prescribed in statute. CSL opposed all of the PERA bills. Three PERA bills remain to be acted on in committee. Details are listed in the attached Summary Sheet,

CSL officers and members are constantly and consistently engaged in ensuring that the rights and benefits affecting seniors are not reduced or eliminated, but sustained or enhanced where possible.

A proposal worth mentioning is HB 12-1287, although it has been PI $\phi$ . Passage of this proposal would have re-authorized the Homestead Act (Senior Property Exemption) with restrictions. The basic criteria would continue; however, homes valued above \$100,000 would have their tax exemptions reduced as the values are increased. The exemption scale is based on 1.08% of the value of the General Fund at its high in 2008-2009. If no other attempts are introduced and passed, the Homestead Act is scheduled to go back into effect in its initial state. Please stay aware of all proposed legislation.

An effective method to stay aware of legislative proposals in and inform legislators of your intentions is to attend Senior Day at The Capitol scheduled for Wednesday, March 14, 2012. Legislators from both Houses, including the leadership, will address the audience. The Governor will attend to present his views on senior services. In addition a program will be presented describing various senior services provided in Colorado. A luncheon program is also offered. A flyer is included in this issue of the CSL News Letter.

During this current legislation session, the Legislative Task Force of CSL meets every Monday morning at 9:30 AM at the above address in the lower level conference room (CR) elevator button. All are welcome; however, only CSL members are eligible to vote. Your opinions are always welcome.

## CSL and OAC Ask for Delay in Moving the State Unit on Aging

The following is a letter sent from Colorado Senior Lobby and the Older Americans Coalition to Senator Betty Boyd. Senator Boyd is considering writing a bill to move the State Unit on Aging from the Department of Human Services to the Health Care Policy and Financing Department. The letter requests a delay of at least one year to give ample opportunity to study the effects of such a move.

The Honorable Betty Boyd  
Colorado General Assembly  
State Capitol Building  
200 East Colfax Ave.  
Denver, CO 80203

Dear Senator Boyd:

RE: Proposed legislation to move State Unit on Aging and Long Term Care Ombudsman Program

On behalf of the Executive Board of the Colorado Senior Lobby and the Older Americans Coalition, we are writing to express our boardsqconcerns about this proposal. Specifically, it is our position that **the state should delay enacting the proposed move until the next legislative session and during the interim work with the Area Agencies on Aging and other stakeholders to craft a mutually acceptable proposal.**

We have investigated this proposal since it was announced in early November 2011. Many of us attended the public meeting on November 16 where the proposal was presented as part of a larger proposed long-term care system redesign. We have been in contact with representatives of the Area Agencies on Aging (AAAs), the Colorado Commission on Aging, and Older Americans Coalition and have attended other meetings where the executive directors of three state departments (CDHS, HCPF, and CDPHE) have presented the proposal and answered questions.

As the proposal stands now, we have several concerns:

**Older Coloradans Fund.** The Older Coloradans Fund must be protected and not redirected to Medicaid or other programs. This fund provides \$8 million of General Fund that is allocated to the AAAs who then grant that money to local service providers for services to help older adults remain living independently in their homes and the community. The state actually should consider increasing the Older Coloradans Fund, since these services are some of the most cost-effective services the state funds. The services AAAs provide enable their clients to avoid falling into poverty and actually save the state money in other areas of the budget, especially Medicaid.

**Operational Issues.** There are numerous concerns about how this proposed move would affect the operations of the AAAs and their grantee local service providers. While not perfect, the systems currently in place for processing of invoices, compiling data, and recording documentation work well. These systems could be disrupted by moving to HCPF, where there are separate systems for Medicaid programs. We are concerned that this will adversely affect existing levels of service and the continuity of service delivery.

**Planning for and Coordination of Services.** The AAAs and the State Unit on Aging are mandated by the Older Americans Act to engage in extensive planning and collaboration to effectively and efficiently meet the service needs of older adults. HCPF, as the Medicaid agency, traditionally has operated on more of an insurance agency model that determines eligibility and pays claims. We have concerns that the mission of the AAAs/SUA will eventually become lost within the much larger Medicaid culture.

**Stakeholder Process.** This proposal was announced without consulting stakeholders. The state always talks about the importance of its partners and stakeholders, but failed to consult with those who would be affected before announcing the proposal. The process by which this proposal was rolled out does not give us much confidence in the redesign process going forward. As partners in working to meet the needs of the state's older adults, we especially urge the General Assembly, governor and state agencies to consult with the stakeholders before legislative, administrative and regulatory proposals are advanced.

We have concluded that there simply is not enough information for us to support moving forward with this proposal at this time. Although we are not in principle opposed to the proposed move, we actually agree strongly with the director's stated intent. We believe the state should take the time to do this right. To us that means first working with those who would be affected by such a move to address their issues and concerns. We would be more than willing to participate in such a process.

Thank you for your consideration of our position.

Sincerely,

Bob Epstein  
President  
Colorado Senior Lobby

Mike Drake  
Co-Chair  
Older Americans Coalition

### **. Financial Assistance in Colorado Hospitals**

Bob Epstein

SB 12-134 has been introduced by Senator Aguilar to limit how much hospitals can charge the uninsured. This is an attempt to reduce the number of Coloradans bankrupted by medical bills. Individuals are resisting receiving emergency treatment for fear of high medical costs that would place them in severe debt. The bill would establish a rule regarding the amount hospitals are able to charge uninsured patients. The amount should not be more than the actual cost to the hospital for those with incomes of less than \$45,000 per year. It has been reported that hospital charges are marked up from 500-800%.

There are hospitals that are very generous in charges to the uninsured. This bill is not intended to demonize them. Its purpose is to set a minimum standard.

The second part of the bill is about transparency. Hospitals need to improve their methods of notifying patients of discounts and payment plans offered.

Bi-partisan support is necessary for the bill to pass through both houses and offer some relief to uninsured Coloradans who require emergency medical services. CSL is in support of this proposal at this time.

POSITION & WHO RESPONSIBLE	BILL NO. *=Amend	SPONSORS	TITLE/SUMMARY	COMM.	DATE	ACTION
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**HOUSE BILLS**

Support Ed/Wayne	HB 1028	Gerou/ Steadman	Continue low-income energy related assistance	H. Fin. 2 <sup>nd</sup> 3 <sup>rd</sup> S. HHS	1-18 1-26 1-30	Referred Passed Passed
Support GwynEllen	HB 1074	Kerr, Miklosi/ King S., Tochtrop	Access to data to assist the courts in overseeing persons appointed to manage the affairs of persons under disability	H. Jud 2 <sup>nd</sup> 3 <sup>rd</sup> S. Jud	2-10 2-14 2-15	Referred Passed Passed
Oppose Wayne/Betty	HB 1075	Beezley/ Brophy	Establishing a 6% General Fund limit	H. Fin H. App.	2/15	Referred
Oppose John/Dolores	HB 1111	Szabo	Voter ID	H. SA H. App	2/22	Referred
Oppose Wayne/ Eileen	HB 1142	Del Grosso	PERA defined contribution plan	H. Fin	3/1 UA	
Oppose Wayne/Eileen	HB 1150	Priola/ Lambert	Calculation of PERA highest average Salary	H. Fin	2/23 UA 3/1	Discussion Action Only
Support Ed/John	HB 1156	McCann/ Johnston	Improved reliability of foreclosure information	H. Bus		
Oppose Jeanette/Rich	HB 1177	Gerou/ Summers	Home Care benefits to certain eligible individuals (JBC Bill)	H. Fin H. App 2 <sup>nd</sup> 3 <sup>rd</sup> S. HHS 2 <sup>nd</sup>	2/2 2/6 2/8 2/9 2/23	Referred Referred Passed Passed Refer amend
Oppose Wayne/Eileen	HB 1179	J. Kerr	Modification of composition of the PERA board	H. Fin	2/23	Discussion
Support Charles/Jeanette	HB1226	Barker/ Aguilar	Surcharge on crimes against persons convicted of crimes against at risk	Jud App	2/16 3/2 7:30 am	Referred
Support GwynEllen	HB 1242	Massey/Boyd	Creation of an electronic biometric prescribing system to monitor prescriptions	H. H&E  H. EBD	2-28 1:30	

<b>POSITION &amp; WHO RESPONSIBLE</b>	<b>BILL NO. *=Amend</b>	<b>SPONSORS</b>	<b>TITLE/SUMMARY</b>	<b>COMM.</b>	<b>DATE</b>	<b>ACTION</b>
Support Herb/Rich	HB 1253	Kefalas/Johnston	Real property assistance grants for low income seniors and disabled individual, modifying grant amounts and increasing maximum income limits for grant qualification	H. Fin	2/29 1:30	
Support GwynEllen/Jessie	HB 1257	Kefalas/Boyd	Transparency in the Delivery of health care services	H. SVMA	3/7 1:30	
Oppose Johnw	HB 1267	Coram/Grantham	Simplifying pre-election procedures	H. SVMA		
Watch Charles/Bob	HB 1279	Lee	Public Financing of Legislative Campaigns	H. SVMA		
Watch Jessie	HB 1281	Young	Pilot program establishing new payment methodologies in Medicaid	H. H&E App.	2/21	Referred
Oppose Rich/Jessie	HB 1294	Liston/Tochtrop	Modification to regulation of health care facilities	H. EBD	3/1 1:30	

POSITION & WHO RESPONSIBLE	BILL NO. *=Amend	SPONSORS	TITLE/SUMMARY	COMM.	DATE	ACTION
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**SENATE BILLS**

Support Bob/Rich	SB 23	Boyd	All-inclusive care for the elderly - PACE	S. HHS	2/2 1:30	Discussion-L.O.
Support Betty/Dwight	SB 55	White/McCann	9Health Fair Tax Checkoff Senate Finance	S. Fin. 2 <sup>nd</sup> 3 <sup>rd</sup> H. Fin.	2/6 2/10 2/13	Referred Passed Passed
Support Bob	SB 60	Roberts	Improve Medicaid fraud prosecution	S. HHS Appro p 2 <sup>nd</sup>	2/6 2/24	Referred Referred
Watch George/Georgia	SB 65	Morse	Prior authorization form for prescription drugs	S. HHS		
Support Ed	SB 70	Aguilar/Wilson	Enacting the "Uniform Residential Landlord Tenant Act"	S. Jud	2/22 3/7 1:30	Discussion Action only
Watch Ed/John	SB 71	Giron/Duran	Loan modification remedies prior to foreclosure	S. Jud	2/13 1:30	
Support Ed/Rich	SB 74	Aguilar/Gardner	Designation of a provider by person eligible for consumer-directed care services	S. Jud. 2 <sup>nd</sup> 3 <sup>rd</sup> H. Jud.	2/6 2/10 2/13	Referred Passed Passed
Support w/Amend Charles/Betty/Rich/Pat	SB 78	Hudak/Schafer, S	Protection of at-risk adults	S. HHS	2/2	Discussion-L. O.
Support Betty/Georgia/Muriel	SB 93	Carroll, Boyd/Duran	Requirement that a licensed hospital provide notice to patients of any service not provided by the hospital because of moral convictions or religious beliefs	S. HHS 2 <sup>nd</sup> 3rd	2/16 2/24	Referred Passed
Support Jesse	SB127	Newell/Summers	Participation of long-term care providers in Medicaid care coordination programs	S. HHS	2/29 UA	

<b>POSITION &amp; WHO RESPONSIBLE</b>	<b>BILL NO. *=Amend</b>	<b>SPONSORS</b>	<b>TITLE/SUMMARY</b>	<b>COMM.</b>	<b>DATE</b>	<b>ACTION</b>
Support Charles/Rich/John	SB128	Robert/Summers	Achieving efficiencies in Medicaid long-term care program through greater use of alternative care facilities	S. HHS	3/1 1:30	
Support Jesse/GwenEllyn	SB134	Aguilar	Financial assistance in Colorado Hospitals	S. HHS S. App	2-16 2-23 3/2	Discussed L.O. Refer amend
Watch Charles/Bob	SB149	Steadman/Priola	Allow Local Government Retirement Plan Modifications	S. Fin	2-28 1:30	

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3. By making a financial contribution to the Colorado Lobby \$ \_\_\_\_\_
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