



Health Care Under the Gold Dome

*A recap of the 2024 legislative
session*

June 2024



Today's Webinar



Bridget Frazier | Senior
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Quick Tip!

- Slides with this logo indicate CHA has an in-depth issue brief available



Questions?

- Please type your questions into the chat at anytime throughout the presentation

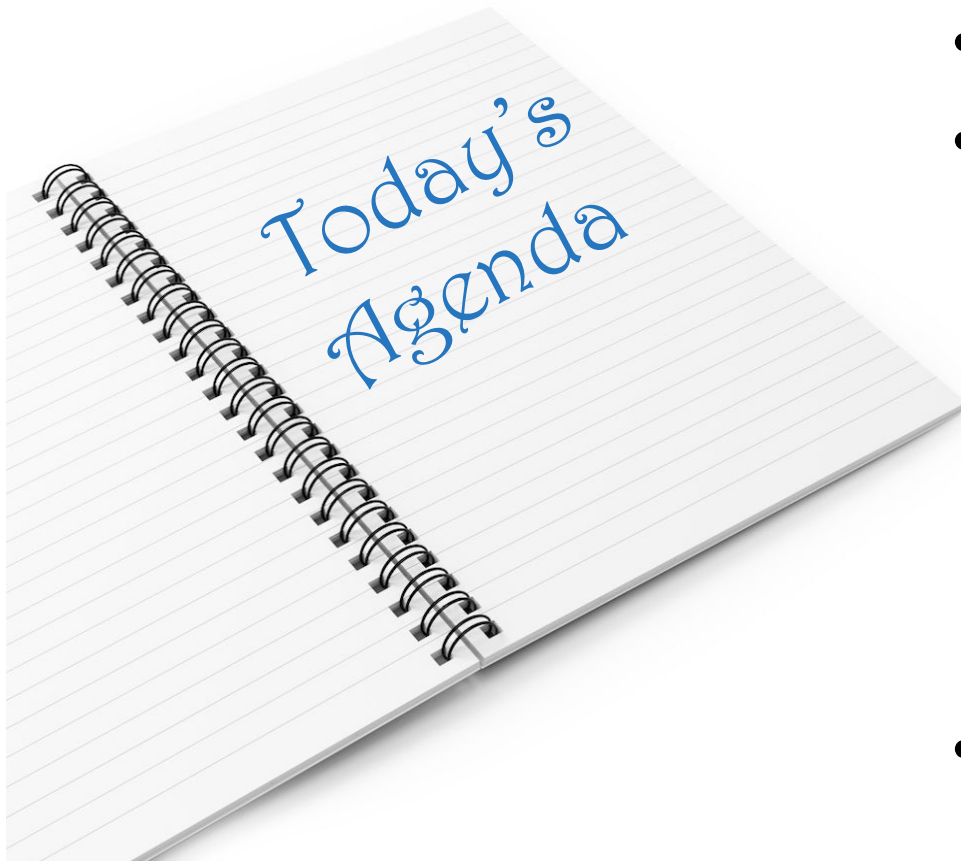


Visit www.cha.com

- Today's slides, as well as in-depth issue briefs, our annual legislative report, and other helpful resources are all available



Today's Webinar



- Reflections on the session from Jeff Tieman
- Top-line takeaways
- Drilling down
 - Strengthen & support the workforce
 - Common sense reforms for patients
 - Defend against policies that threaten access to care
 - Compromises to avoid the ballot
 - Budget wins
 - Executive Branch advocacy
- Looking ahead



Reflections on the Session

*Jeff Tieman
President and CEO*



Topline Takeaways



Legislative Session by the Numbers



*The General Assembly considered **705** pieces of legislation and passed **75%***

On behalf of its members, CHA:

- ✓ Tracked **86** bills
- ✓ Testified **22** times in committee hearings
- ✓ Negotiated more than **30** amendments

Saved Colorado hospitals nearly **\$10 million** through a Hospital Discounted Care fix

Secured a **2%** across-the-board Medicaid provider rate increase worth nearly \$40 million in additional reimbursements next year

Expanded Medicaid coverage for inpatient behavioral health care up to **30 days**



Through action alerts, CHA members and their supporters sent **1,549** messages to legislators



Top Takeaways / Major Themes



Leadership Changes



Election Year
Compromises



Limited Funds



Property Tax /
Housing



Energy



Transportation



Medical Malpractice

Drilling Down



CHA's 2024 Legislative Agenda

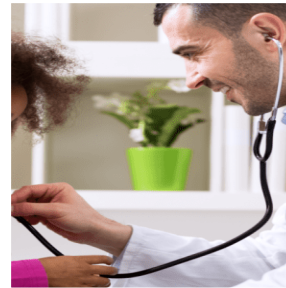
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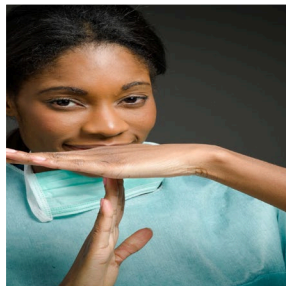
Lead legislative efforts to strengthen and support the health care workforce

2

Pursue common-sense reforms that prioritize patients' needs



3



Defend against policies that threaten access to care

CHA's 2024 legislative agenda focused on three key priority issue areas reflecting the Association's commitment to ensuring access to quality health care for all Coloradans.



Strengthen & Support the Workforce

Financial support for preceptors

Funding for Colorado's rural hospitals and workforce pipeline

State funding for higher education

Opportunity Now expansion

Support for apprenticeships

Workplace violence protections





Common Sense Reforms for Patients



Prior Authorization Reforms

CHA and a coalition of health care providers led the proactive effort to enact HB 24-1149 to eliminate or modify some of the onerous prior authorization practices used by insurance companies.



Hospital Discounted Care Efficiencies

CHA initiated SB 24-116 to improve the program for both patients and providers, in part by allowing presumptive eligibility for individuals that may qualify for Medicaid.



Expansion of Remote Patient Monitoring

CHA supported SB 24-168 to expand Medicaid reimbursement for RPM and provide resources for rural and under-resourced providers for RPM equipment. The bill also expands reimbursement for continuous glucose monitors.





Defend Against Policies that Threaten Access to Care

Physician Recruitment

- Successfully defeated legislation (HB 24-1005) that would've eliminated employers' ability to enforce physician non-compete agreements and to seek damages if a physician's contract was terminated

Continuing Medical Education

- Amended legislation (HB 24-1153) to align with national standards and allow physicians to choose CME within their area of focus.

Badging / Patient Notification

- Stopped legislation (SB 24-082) that would've required providers to have certain information on their badges.

Defend Against Policies that Threaten Access to Care

Patient Privacy

- Successfully achieved seven amendments to the opioid interim committee bill (SB 24-047) to improve local opioid fatality review teams and protect patient privacy.

Behavioral Health Data Sharing

- Amended legislation (HB 24-1217) to increase the hospital voice and avoid conflicts with federal law or clinical best judgement.

Maternal Health Care

- Amended legislation (SB 24-175, HB 24-1262, and HB 24-1459) to reduce burden on hospitals.



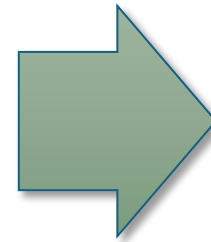


Protecting Patient Safety and Colorado's Liability Climate

Facing the threat of potentially catastrophic ballot measures that would have eviscerated peer review protections and eliminated all liability caps, the medical and business communities negotiated a compromise in the final days of the legislative session

Current Medical Malpractice Caps

- Non-economic damages: \$300,000
- Wrongful death: N/A

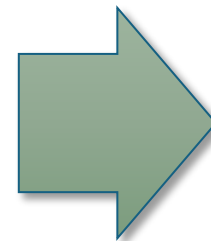


Compromise in HB 24-1472

- Non-economic damage cap: increase to \$875,000 over five years
- New, separate wrongful death cap: \$1.575 million over five years

Current General Liability Caps

- Non-economic damages: \$250,000
- Wrongful death: \$642,000



Compromise in HB 24-1472

- Non-economic damages will increase to \$1.5 million beginning in 2025
- Wrongful death cap will increase to \$2.125 million beginning in 2025

All caps will adjust for inflation every two years, beginning January 2028



Tackling Rising Property Tax Rates

SB 24-233, bipartisan legislation, was introduced 3 days before session adjourned to permanently lower property taxes by **\$1 billion per year**



Cuts residential tax rates. Establishes a 6.7% local government assessment rate on residential property in 2024, a 6.4% rate in 2025 and then a permanent rate of 6.95% in 2026.

Lowers commercial tax rates. Moves assessments rate to 27% in 2025, 26% in 2026 and to a permanent level of 25% in 2027.

Limits future tax growth. Further, it establishes a 5.5% annual cap on the increase in statewide property tax revenues.

Limits local district backfill. Counties will only be eligible for backfill if the changes result in budget reductions.



CHA Budget Wins

The 2024-25 state budget surpassed **\$42 billion** – a 7% year-over-year increase.

After the budget bill was finalized, only \$22 million remained available for new policies. As a result, hundreds of bills with unfunded fiscal impacts failed to pass.

This session
CHA
successfully
advocated
for:



Medicaid: A 2% reimbursement increase for Medicaid providers – 4X what the Governor proposed



Rural: A dedicated fund for rural hospitals and an expansion of the rural training track



Behavioral Health: Expanded Medicaid coverage for inpatient psychiatric care reimbursement



Executive Branch Advocacy



- CHA led efforts to pressure the Polis administration on four top-priority issues for members:
 - Increasing federal funding through Medicaid
 - Improving the state's response on Medicaid redetermination
 - Prioritizing fixes to the Medicaid Recovery Audit Contractor (RAC) program
 - Engaging in legislative and ballot negotiations regarding medical malpractice caps and peer review

Looking Ahead



Key Dates



Primary Election
June 25



2024 General Election
Nov. 5



**2025 Legislative Session
Convenes**
January 8, 2025



2025 Legislature Will Look Different

Changes in the Senate

- Institutional knowledge and experience departs
- Six Senators depart due to term limits — Democratic Sens. Steve Fenberg, Rachel Zenzinger, Kevin Priola and Rhonda Fields and Republican Sens. Bob Gardner and Jim Smallwood
- Democrats have controlled the 35-member Senate since 2019 and currently have a 23-12 majority — one shy of a supermajority

Changes in the House

- 19-member Colorado House Republican caucus, meanwhile, is losing all but one of its most experienced members
- Reps. Marc Catlin (term limited), Amabile, Daugherty, Kipp, Snyder, Weissman are running for the Senate
- Several Republicans are running for Congress
- Democrats have had continuous control of the 65-member House since 2013 and currently have a 46-19 supermajority



Primaries: Races to Watch



18 Primaries for State House – races to watch:

- HD-4: Rep. Tim Hernandez
- HD-6: Rep. Elisabeth Epps
- HD-10: Rep. Junie Joseph
- HD-21: Rep. Mary Bradfield
- HD-30: Rep. Chris deGruy Kennedy (term-limited)
- HD-31: Rep. Julia Marvin

7 Primaries for State Senate – races to watch:

- SD-2: Rep. Lisa Frizell
- SD-10: Sen. Larry Liston
- SD-18: Rep. Judy Amabile
- SD-19: Rep. Lindsey Daugherty
- SD-23: Sen. Barbara Kirkmeyer
- SD-28: Rep. Mike Weissman



A Crowded Ballot



Citizen Initiatives:

- **Initiative #50 – On the Ballot**
 - Caps the total amount the state can increase property taxes at 4%
 - Stops SB 24-233 from going into effect
- **Initiative #89 – On the Ballot**
 - Right to abortion in state constitution
- **Initiative #108 – Approved for Signature Collection**
 - Reduces property tax assessment rate for commercial and residential
 - Stops SB 24-233 from going into effect

Referred Measures:

- **HB 24-1436, Sports Betting Tax Revenue Voter Approval**
 - Allows the state to keep \$29 million of unanticipated tax revenue from sports betting
- **HB 24-1349, Firearms and Ammunition Excise Tax**
 - 6.5% tax on gun ammunition dealers
 - If passed, the state would collect approximately \$39 million each year to help fund behavioral health programs and victims' services and school safety
- **SCR 24-003, Protecting the Freedom to Marry**
 - Repeals a previously adopted ballot measure that prohibited same sex marriage



Building the 2025 Legislative Agenda

Proactive

RAC
340B
Medicaid Enrollment
Behavioral Health –
Cell Phones
CHASE
Rural
AI

Defensive

Facility Fees
Community Benefit
Nurse Staffing
Colorado Option /
Reinsurance
Single Payer
Maternal Health
Non-Competes
Environmental



Additional Resources

ADDITIONAL RESOURCES

- ✓ **2024 Annual Legislative Report**
 - ✓ **CHA Regulatory Issue Briefs**
 - ✓ **Hospital Community Data Dashboard**
- are available at www.cha.com.

Please let us know if you'd like to be added to the monthly CHA Regulatory Update newsletter and call.

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Questions?