

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

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4/30/26

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LLS NO. 26-1020.01 Ken Fowler x2372

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Establishing Commission on Medicaid
DEADLINES: File by: 5/1/2026

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A COMMISSION TO STUDY MEDICAID,**
102 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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/>.)

Joint Budget Committee. The bill creates the commission on medicaid (commission). The commission consists of 10 members of the general assembly. The purpose of the commission is to develop recommendations regarding medicaid spending, utilization, and administration considering new federal policies.

The commission is required to:

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

- Convene at least 6 times but no more than 12 times;
- Invite relevant state agency representatives and medicaid stakeholders to present and provide feedback on medicaid spending, utilization, and administration; and
- Submit a report to the general assembly and the governor documenting the commission's process and any recommendations by December 11, 2026.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Medicaid is a critical part of Colorado's social safety net,
5 health-care system, and broader economy. It provides health-care
6 coverage for more than 20% of Coloradans and represents about one-third
7 of the state budget;

8 (b) Because of medicaid's far-reaching impacts on the state's
9 health-care system, economy, and budget, all Coloradans, whether they
10 have direct connection to medicaid or not, have a shared interest in
11 ensuring the program is stable, strong, and serving Colorado well;

12 (c) Colorado's department of health care policy and financing
13 leadership has been criticized for their handling of medicaid public health
14 emergency coverage requirements, nonemergency medical transportation,
15 and benefits for children with autism, and state legislators have not had
16 timely or complete information about these issues, which has left them
17 limited in their ability to respond appropriately; and

18 (d) In order to legislate effectively and fulfill the appropriate
19 oversight role of the general assembly, reliable data, timely information,
20 and a shared understanding of the priorities and work between the
21 legislators and the governor's office are needed.

22 **SECTION 2.** In Colorado Revised Statutes, **add** part 26 to article

1 2 of title 2 as follows:

2

PART 26

3

COMMISSION ON MEDICAID

4

2-2-2601. Commission on medicaid - creation - powers and

5

duties - report - definition - repeal.

6

(1) NOTWITHSTANDING SECTION 2-3-303.3, THERE IS CREATED IN

7

THE LEGISLATIVE DEPARTMENT THE COMMISSION ON MEDICAID, REFERRED

8

TO IN THIS SECTION AS THE "COMMISSION", FOR THE PURPOSE OF MAKING

9

RECOMMENDATIONS REGARDING IMPLEMENTING FEDERAL MEDICAID

10

POLICY CHANGES IN 2026, 2027, AND 2028 AND APPROPRIATELY

11

SUPPORTING COLORADANS IMPACTED BY THOSE POLICY CHANGES.

12

(2) (a) THE COMMISSION CONSISTS OF TEN LEGISLATORS AS

13

FOLLOWS:

14

(I) THE MEMBERS OF THE JOINT BUDGET COMMITTEE ON THE

15

EFFECTIVE DATE OF THIS SECTION;

16

(II) THE CHAIR OF THE HOUSE OF REPRESENTATIVES HEALTH AND

17

HUMAN SERVICES COMMITTEE ON THE EFFECTIVE DATE OF THIS SECTION;

18

(III) THE CHAIR OF THE SENATE HEALTH AND HUMAN SERVICES

19

COMMITTEE ON THE EFFECTIVE DATE OF THIS SECTION;

20

(IV) A MEMBER OF THE HOUSE OF REPRESENTATIVES HEALTH AND

21

HUMAN SERVICES COMMITTEE, APPOINTED BY THE MINORITY LEADER OF

22

THE HOUSE OF REPRESENTATIVES; AND

23

(V) A MEMBER OF THE SENATE HEALTH AND HUMAN SERVICES

24

COMMITTEE, APPOINTED BY THE MINORITY LEADER OF THE SENATE.

25

(b) THE PRESIDENT OF THE SENATE SHALL APPOINT THE CHAIR OF

26

THE COMMISSION. THE CHAIR OF THE COMMISSION MUST BE A MEMBER OF

27

THE JOINT BUDGET COMMITTEE AND A MEMBER OF THE MAJORITY PARTY

1 OF THE SENATE. THE VICE-CHAIR OF THE COMMISSION IS THE CHAIR OF THE
2 HOUSE OF REPRESENTATIVES HEALTH AND HUMAN SERVICES COMMITTEE
3 SERVING ON THE COMMISSION PURSUANT TO SUBSECTION (2)(a)(II) OF THIS
4 SECTION.

5 (c) (I) IF A VACANCY ON THE COMMISSION OCCURS, THE
6 APPROPRIATE APPOINTING AUTHORITY SHALL APPOINT A QUALIFIED
7 REPLACEMENT MEMBER OF THE GENERAL ASSEMBLY TO FILL THE VACANT
8 POSITION NO LATER THAN TEN BUSINESS DAYS AFTER THE DATE THE
9 VACANCY IS DEEMED TO EXIST.

10 (II) FOR THE PURPOSES OF FILLING A VACANCY OF A COMMISSION
11 MEMBER DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION, THE
12 QUALIFIED REPLACEMENT NEED NOT BE A MEMBER OF THE JOINT BUDGET
13 COMMITTEE AND THE APPROPRIATE APPOINTING AUTHORITY IS:

14 (A) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, IF THE
15 DEPARTING MEMBER WAS A MEMBER OF THE MAJORITY PARTY OF THE
16 HOUSE OF REPRESENTATIVES;

17 (B) THE PRESIDENT OF THE SENATE, IF THE DEPARTING MEMBER
18 WAS A MEMBER OF THE MAJORITY PARTY OF THE SENATE;

19 (C) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES,
20 IF THE DEPARTING MEMBER WAS A MEMBER OF THE MINORITY PARTY OF
21 THE HOUSE OF REPRESENTATIVES; AND

22 (D) THE MINORITY LEADER OF THE SENATE, IF THE DEPARTING
23 MEMBER WAS A MEMBER OF THE MINORITY PARTY OF THE SENATE.

24 (III) FOR THE PURPOSES OF FILLING A VACANCY OF A COMMISSION
25 MEMBER DESCRIBED IN SUBSECTION (2)(a)(II) OF THIS SECTION, THE
26 QUALIFIED REPLACEMENT NEED NOT BE THE CHAIR OF THE HOUSE OF
27 REPRESENTATIVES HEALTH AND HUMAN SERVICES COMMITTEE, BUT MUST

1 BE A MEMBER OF THE COMMITTEE, AND THE APPROPRIATE APPOINTING
2 AUTHORITY IS THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

3 (IV) FOR THE PURPOSES OF FILLING A VACANCY OF A COMMISSION
4 MEMBER DESCRIBED IN SUBSECTION (2)(a)(III) OF THIS SECTION, THE
5 QUALIFIED REPLACEMENT NEED NOT BE THE CHAIR OF THE SENATE HEALTH
6 AND HUMAN SERVICES COMMITTEE, BUT MUST BE A MEMBER OF THE
7 COMMITTEE, AND THE APPROPRIATE APPOINTING AUTHORITY IS THE
8 PRESIDENT OF THE SENATE.

9 (3) NOTWITHSTANDING SECTION 2-2-307 (3)(e), MEMBERS OF THE
10 COMMISSION ARE ENTITLED TO PER DIEM AND TRAVEL EXPENSES FOR
11 THEIR ATTENDANCE AT COMMISSION MEETINGS DURING THE 2026 INTERIM.

12 (4) (a) AS SOON AS FEASIBLE AFTER THE EFFECTIVE DATE OF THIS
13 SUBSECTION (4), THE DIRECTOR OF RESEARCH FOR THE LEGISLATIVE
14 COUNCIL SHALL ISSUE A REQUEST FOR PROPOSALS FOR A TECHNICAL
15 ADVISOR WITH EXPERIENCE IN HEALTH-CARE POLICY. THE COMMISSION
16 SHALL SELECT A TECHNICAL ADVISOR AND ENTER INTO A CONTRACT WITH
17 THE TECHNICAL ADVISOR TO ASSIST IN WRITING THE RECOMMENDATIONS
18 OF THE COMMISSION AND PROVIDING ASSISTANCE TO THE COMMISSION.

19 (b) THE LEGISLATIVE COUNCIL STAFF SHALL ASSIST THE
20 COMMISSION IN CARRYING OUT ITS DUTIES REQUIRED IN THIS SECTION.

21 (5) (a) THE COMMISSION SHALL INVITE REPRESENTATIVES FROM
22 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, THE
23 BEHAVIORAL HEALTH ADMINISTRATION, THE COLORADO DEPARTMENT OF
24 HUMAN SERVICES, THE GOVERNOR'S OFFICE, AND OTHER STATE AGENCIES,
25 AS DETERMINED BY THE COMMISSION, TO PRESENT TO OR COLLABORATE
26 WITH THE COMMISSION.

27 (b) THE COMMISSION SHALL INVITE COMMUNITY-BASED MEDICAID

1 STAKEHOLDERS TO PRESENT TO THE COMMISSION AND PROVIDE FEEDBACK
2 ON COMMISSION RECOMMENDATIONS.

3 (6) THE COMMISSION SHALL MEET BEGINNING AS SOON AS
4 PRACTICABLE AFTER MAY 13, 2026. THE COMMISSION CHAIR, IN
5 CONSULTATION WITH THE TECHNICAL ADVISOR, SHALL DETERMINE THE
6 COMMISSION'S MEETING FREQUENCY AND DURATION, BUT THE
7 COMMISSION SHALL MEET AT LEAST SIX TIMES AND NO MORE THAN
8 TWELVE TIMES BEFORE DECEMBER 11, 2026.

9 (7) (a) THE PURPOSE OF THE COMMISSION IS TO IDENTIFY,
10 CONSIDER, AND EVALUATE LEGISLATIVE AND EXECUTIVE BRANCH ACTION
11 OPTIONS TO IMPLEMENT A SUSTAINABLE MEDICAID PROGRAM. THE
12 COMMISSION SHALL IDENTIFY, CONSIDER, AND EVALUATE
13 RECOMMENDATIONS FOR LEGISLATIVE CHANGES OR EXECUTIVE ACTION.

14 (b) THE COMMISSION SHALL:

15 (I) ESTABLISH A SHARED UNDERSTANDING OF THE FEDERAL POLICY
16 CHANGES COMING THROUGH THE IMPLEMENTATION OF H.R. 1, 119TH
17 CONGRESS (2025-2026), PUB. L. 119-21, AND RELATED FEDERAL POLICIES,
18 AND IDENTIFY PREPARATIONS TO SUPPORT COLORADANS IMPACTED BY
19 REQUIRED CHANGES COMING IN 2026, 2027, AND 2028;

20 (II) EXPLORE HOW COLORADO'S ADMINISTRATIVE STRUCTURES OF
21 HEALTH CARE HAVE CHANGED OVER THE PAST TEN YEARS, ESTABLISH A
22 SHARED UNDERSTANDING OF HOW THESE ADMINISTRATIVE STRUCTURES
23 ARE WORKING TOGETHER TODAY, AND IDENTIFY POINTS OF FRICTION AND
24 OPPORTUNITIES FOR EFFICIENCIES;

25 (III) ANALYZE MEDICAID ELIGIBILITY AND ENROLLMENT,
26 BENEFITS, ADMINISTRATION OF BENEFITS AND DELIVERY SYSTEMS,
27 PROVIDER CONTRACTING, PAYMENT RATES AND METHODOLOGY, AND

1 PROGRAM QUALITY FOR EFFICACY AND VALUE; AND

2 (IV) EXPLORE MEDICAID FINANCING AND EVALUATE HOW
3 COLORADO CAN OPTIMIZE FEDERAL FUNDING TO SUPPORT HEALTH-CARE
4 DELIVERY.

5 (8) NO LATER THAN DECEMBER 11, 2026, THE COMMISSION SHALL
6 SUBMIT A REPORT TO THE GENERAL ASSEMBLY AND THE GOVERNOR
7 DOCUMENTING THE PROCESS OF THE COMMISSION AND ANY
8 RECOMMENDATIONS FOR BOTH SHORT-TERM AND LONG-TERM
9 LEGISLATIVE CHANGES AND EXECUTIVE ACTION.

10 (9) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2027.

11 **SECTION 3. Appropriation.**

12 (1) For the 2026-27 state fiscal year, \$272,712 is appropriated to
13 the legislative department. This appropriation is from the general fund. To
14 implement this act, the department may use this appropriation as follows:

15 (a) \$28,314 for use by the general assembly; and

16 (b) \$244,398 for use by the legislative council, which amount is
17 based on an assumption that the legislative council will require an
18 additional 0.5 FTE.

19 **SECTION 4. Effective date.** This act takes effect upon passage;
20 except that section 2-2-2601 (3), Colorado Revised Statutes, as enacted
21 in section 2 of this act, takes effect only if House Bill 26-1331 becomes
22 law, in which case section 2-2-2601 (3) takes effect on the effective date
23 of this act or House Bill 26-1331, whichever is later.

24 **SECTION 5. Safety clause.** The general assembly finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.