

AARP Colorado is pleased to present this report on our 2009 legislative activities. All bills referenced in this report were signed by Governor Bill Ritter, Jr. unless otherwise noted; all bills marked with an asterisk identify an AARP priority. For more information on the bills listed, please visit our bill chart at:

<http://www.statebillinfo.com/SBI/index.cfm?fuseaction=Public.Dossier&id=8316&pk=406>

### Fiscal Fitness on a Lean Budget:

Budget issues and fiscal flexibility topped the agenda at the capitol this year. The Colorado budget situation is worrisome and Coloradans across the board are losing benefits and services. Senior services, including Meals on Wheels, were cut by one million dollars and we had to fight off an effort to cut an additional 2 million retroactively. Physicians who accept Medicaid patients will see big cuts in their minimal reimbursement rates and the senior homestead property tax exemption was rescinded for one year at cost savings of \$90 million.

AARP is very concerned about these cuts and we continue to support opportunities for fiscal flexibility. We strongly supported the TABOR time-

out provided by the 2006 Referendum C as well as last year's SAFE Initiative. We were disappointed the SAFE Initiative did not pass as it would have been a big help in addressing this year's fiscal situation.



*The signing of HB 1076: Senator Morse, Governor Bill Ritter, Representative McGihon, AARP volunteers A.W. Schnellbacher and Dennis Valentine.*

To help fund the services our members view as very important, AARP, along with a large coalition, strongly supported **Senate Bill 228\*** by Senator Morse and Representative Marostica. **Senate Bill 228** repeals the requirement that the state's operating budget may increase only by 6% each year and with any money over that 6% having to be spent on transportation and construction, regardless of need. Passed with significant bi-partisan support, **Senate Bill 228** will allow our state legislature to put dollars where they are needed instead of relying on an out-dated and restrictive allocation formula.

### Seeking Accessible, Affordable Health Care:

Once again in 2009 we witnessed the introduction of many health care reform bills both good and bad. One of the biggest victories of the legislative session was the passage of the *Colorado Healthcare Affordability Act*. **House Bill 1293\*** (Representative Riesberg; Senator Keller) will provide health coverage to more than 100,000 Coloradans currently without insurance by initiating a fee on Colorado hospitals that will be matched with federal dollars for government-sponsored insurance. Twenty other states have similar laws on the books.

AARP Colorado was unable to lend support to **House Bill 1273**, *Health Care for Colorado*, (Representative Kefalas; Senator Foster) and **House Bill 1358**, *Create Healthcare System*

*for Colorado* (Representative Rice) because they would have required unachievable federal waivers and had questionable funding sources.

Two bills AARP considered being the 'wrong direction' for achieving health care reform in Colorado were **House Bill 1143**, *HMOs Offer Limited Benefit Plans* (Representative Swalm; Senator Schwartz) and **House Bill 1256**, *Multi-State Agreements Allowing Consumers to Purchase Out-of-State Health Insurance Products* (Representative Acree). We opposed **House Bill 1143** as it allowed small businesses to offer a limited "health benefit plan." Current employees who have comprehensive health care plans could see these plans replaced by plans with limited

benefits and higher out-of-pocket costs. Although amended to allow offering only in smaller communities in the state, **House Bill 1143** passed and was signed into law by Governor Ritter. **House Bill 1256** would have created an uneven playing field for in-state licensed health insurance providers by allowing unlicensed out-of-state companies access to the Colorado market. Colorado consumers would also have been left vulnerable without the consumer protections provided by the Colorado Insurance Commissioner. AARP's position was if out-of-state companies want to play in Colorado, they need to be licensed in Colorado. Fortunately, **House Bill 1256** failed to make it out of appropriations.

### AARP Preparing for a Replay:

**House Bill 1097\*** is a third try by Senator Lundberg to establish a 'free market' for long-term care (LTC) services but what it really amounted to was a high deductible plan for these services. **House Bill 1097** would have

allowed Medicaid LTC patients to keep their home in exchange for paying for 50% of the Medicaid cost. No one could afford that type of arrangement unless some family member would help pay for the

services (which is not legal). The bill would have also removed all criteria or standards for providers to participate in the Medicaid program. There would have been no protection for consumers on the price of services.

## AARP Comes Out Swinging:

AARP Colorado was vigorous in its opposition to **Senate Bill 253** (Senator Veiga; Representative Casso). **Senate Bill 253** was an attempt by our major telephone service provider, Qwest, to push an eleventh hour bill through the legislature that would have allowed it to pass the cost of any facility or maintenance upgrades on to basic phone users, bypassing the Public Utilities Commission, the very state

entity charged with reviewing requests for rate increases by any public utility. In addition to testifying against the bill and lobbying legislators in partnership with the Office of Consumer Council at the Public Utilities Commission, we ran radio spots during Rockies' baseball and the morning drive time, encouraging listeners to contact their legislators and ask them to vote "no."

We were grateful that **Senate Bill 253** died in the House Appropriations Committee. This is a big victory for AARP members and all consumers and it sends a strong message to Qwest that we are not going to stand by and allow them to circumvent the established rate increase request system now or in the future.

## Major Bills with Less Favorable Outcomes:

There were two major bills in the 2009 legislative session with less than favorable outcomes in the area of affordable prescription drugs. We strongly supported **Senate Bill 166** (Senator Carroll; Representative Pace). Called the *Prescription Drug Ethics Act*, **Senate Bill 166** would have prohibited prescription drug companies from providing economic benefits to physicians and other healthcare providers and provided for greater transparency in drug companies'

advertising and marketing practices. After intense lobbying by the drug manufacturers, **Senate Bill 166** failed in its first hearing before the Senate Business Affairs Committee. We opposed Senate Bill 132 (Senator Boyd; Representative J. Kerr) which passed. **Senate Bill 132** eliminates the *Colorado Cares* prescription drug card program that was created in 2007 but never implemented as advocates had hoped. Now, instead of one card for income-eligible Colorado

residents to save money on generic prescription medications through a designated mail-order pharmacy, these residents will need to continually check the Department of Health Care Policy and Financing's web site to access any existing discount drug programs that come and go at the whim of the drug companies that create them.

## Unemployment Benefits and Power of Attorney:

AARP Colorado strongly supported **House Bill 1076\***, *Remuneration from Employment Separation*, (Representative Pace; Senator Tochtrop). This bill completely removed the onerous (50%) offset on unemployment benefits to any person also receiving Title II federal Social

Security retirement benefits. Colorado was one of only a handful of states that allowed this offset.

**House Bill 1198\***, *Uniform Power of Attorney*, (Representative McGihon; Senator Morse) was drafted by the National Conference of

Commissioners on Uniform State Laws. This legislation will make it easier for Coloradans with family in other states in that they will need to comply with just one law instead of multiple states' rules on the issue.

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## AARP on Tour:

Please join AARP Colorado staff and volunteers to discuss AARP legislative priorities. Good conversation and light refreshments are guaranteed! Join us for an issue forum in your area! All forums are free and open to the public.

Monday, September 14, 2009  
8:30 a.m. – 10:30 a.m.  
Colorado Springs Senior Center  
1514 N. Hancock Avenue  
Colorado Springs, CO 80903

Tuesday, September 15, 2009  
2:30 p.m. – 4:30 p.m.  
Pine Room at the Fairgrounds  
1200 Main Avenue  
Durango, CO 81301

Thursday, September 17, 2009  
1:30 p.m. – 3:30 p.m.  
Northside Aztlan Center  
112 East Willow  
Fort Collins, CO 80524

Monday, September 14, 2009  
1:00 p.m. – 3:00 p.m.  
AARP Information Center  
1117 South Prairie Avenue  
Pueblo, CO 81005

Wednesday, September 16, 2009  
2:30 p.m. – 4:30 p.m.  
Holiday Inn, Western Room  
910 E. Tomichi Avenue  
Gunnison, CO 81230

Friday, September 18, 2009  
10:30 a.m. – 12:30 p.m.  
East Boulder Community Center  
5660 Sioux Drive  
Boulder, CO 80304

# AARP Colorado asked for a yes vote on all bills listed below:

Key: Y = Yes N = No E = Excused A = Absent

<b>Representative Votes:</b>	<b>SB 228</b>	<b>HB 1076</b>	<b>HB 1198</b>	<b>HB 1293</b>
<i>* (Rep. McGihon resigned mid-term and Rep. Kagan assumed the post.)</i>				
Acree, Cindy (Aurora)	N	N	Y	N
Apuan, Dennis (Colorado Springs)	Y	Y	Y	Y
Balmer, David (Centennial)	N	N	N	N
Baumgardner, Randy (Hot Sulphur Springs)	N	N	Y	N
Benefield, Debbie (Arvada)	Y	Y	Y	Y
Bradford, Laura, (Collbran	N	N	Y	Y
Carroll, Terrance (Denver), Speaker	Y	Y	Y	Y
Casso, Edward (Thornton)	Y	Y	Y	Y
Court, Lois (Denver)	Y	Y	Y	Y
Curry, Kathleen (Gunnison)	N	Y	E	Y
Ferrandino, Mark (Denver)	Y	Y	Y	Y
Fischer, Randy (Fort Collins)	Y	Y	Y	Y
Frangas, Jerry (Denver)	Y	Y	Y	Y
Gagliardi, Sara (Arvada)	Y	Y	Y	Y
Gardner, Bob (Colorado Springs)	N	N	Y	N
Gardner, Cory (Yuma)	N	N	Y	N
Gerou, Cheri (Evergreen)	N	N	Y	N
Green, Gwyn (Golden)	Y	Y	Y	Y
Hullinghorst, Dickey Lee (Niwot)	Y	Y	Y	Y
Judd, Joel (Denver)	Y	Y	Y	Y
Kagan, Daniel (Denver)*	Y			
Kefalas, John (Fort Collins)	Y	Y	Y	Y
Kerr, Andy (Lakewood)	Y	Y	Y	Y
Kerr, Jim (Littleton)	N	N	Y	N
King, Steve (Grand Junction)	N	N	Y	N
Labuda, Jeanne (Denver)	Y	Y	Y	Y
Lambert, Kent (Colorado Springs)	N	N	Y	N
Levy, Claire (Denver)	Y	Y	Y	Y
Liston, Larry (Colorado Springs)	N	N	Y	N
Looper, Marsha (Calhan)	N	N	N	N
Marostica, Don (Loveland)	Y	Y	Y	Y
Massey, Tom (Poncha Springs)	N	Y	Y	Y
May, Mike (Parker)	N	N	Y	N
McCann, Beth (Denver)	Y	Y	Y	Y
McFadyen, Buffy (Pueblo)	Y	Y	Y	Y
McGihon, Anne (Denver)*		Y	Y	E
McKinley, Wes (Walsh)	N	Y	Y	Y
McNulty, Frank (Highlands Ranch)	N	N	Y	N
Merrifield, Michael (Colorado Springs)	Y	Y	Y	Y
Middleton, Karen (Salisbury)	Y	Y	Y	Y
Miklosi, Joe (Denver)	Y	Y	Y	Y
Murray, Carole (Castle Rock)	N	N	Y	N
Nikkel, B.J. (Loveland)	N	N	Y	N
Pace, Sal (Pueblo)	Y	Y	E	Y
Peniston, Cheryl (Westminster)	Y	Y	Y	Y
Pommer, Jack (Boulder)	N	Y	Y	Y
Primavera, Dianne (Broomfield)	Y	Y	Y	Y
Priola, Kevin (Henderson)	N	Y	Y	E
Rice, Joe (Littleton)	Y	Y	Y	Y
Riesberg, Jim (Greeley)	Y	Y	Y	Y
Roberts, Ellen (Durango)	N	Y	Y	N
Ryden, Su (Aurora)	Y	Y	Y	Y
Scanlan, Christine (Dillon)	Y	Y	Y	Y
Schafer, Sue (Wheat Ridge)	Y	Y	Y	Y
Solano, Judy (Brighton)	Y	Y	Y	Y
Sonnenberg, Jerry (Sterling)	N	N	Y	N
Soper, John (Thornton)	Y	Y	Y	Y
Stephens, Amy (Monument)	N	Y	Y	N
Summers, Ken (Lakewood)	N	N	Y	N
Swalm, Spencer (Centennial)	N	N	Y	N
Tipton, Scott (Cortez)	N	N	Y	N
Todd, Nancy (Aurora)	Y	Y	Y	Y
Vaad, Glenn (Mead)	N	Y	Y	N
Vigil, Edward (Fort Garland)	Y	Y	Y	Y
Waller, Mark (Colorado Springs)	N	N	Y	N
Weissman, Paul (Louisville)	E	Y	N	Y

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<u>Senate Votes:</u>	SB 228	HB 1076	HB 1198	HB 1293
Bacon, Bob (Fort Collins)	Y	Y	Y	Y
Boyd, Betty (Lakewood)	Y	Y	Y	Y
Brophy, Greg (Wray)	N	N	Y	N
Cadman, Bill (Colorado Springs)	N	N	Y	N
Carroll, Morgan (Aurora)	Y	Y	Y	Y
Foster, Joyce (Denver)	Y	Y	Y	Y
Gibbs, Dan (Silverthorne)	Y	Y	Y	Y
Groff, Peter (Denver), President	Y	Y	Y	Y
Harvey, Ted (Highlands Ranch)	N	N	Y	N
Heath, Rollie (Boulder)	Y	Y	Y	Y
Hodge, Mary (Brighton)	Y	Y	Y	Y
Hudak, Evie (Westminster)	Y	Y	Y	Y
Isgar, Jim (Durango)	Y	Y	Y	Y
Keller, Moe (Wheat Ridge)	Y	Y	Y	Y
Kester, Ken (Las Animas)	N	N	Y	Y
King, Keith (Colorado Springs)	N	N	Y	N
Kopp, Mike (Littleton)	N	N	Y	N
Lundberg, Kevin (Berthoud)	N	N	Y	N
Mitchell, Shawn (Broomfield)	N	N	Y	E
Morse, John (Colorado Springs)	Y	Y	Y	Y
Newell, Linda (Littleton)	Y	N	Y	Y
Penry, Joshua (Grand Junction)	N	Y	Y	N
Renfroe, Scott (Greeley)	N	N	Y	N
Romer, Chris (Central Denver)	Y	Y	Y	Y
Sandoval, Paula (Denver)	Y	Y	Y	Y
Scheffel, Mark (Parker)	N	N	Y	N
Schultheis, Dave (Colorado Springs)	N	N	Y	N
Schwartz, Gail (Snowmass Village)	Y	Y	Y	Y
Shaffer, Brandon (Longmont)	Y	Y	Y	Y
Spence, Nancy (Centennial)	N	N	Y	N
Tapia, Abel (Pueblo)	Y	Y	Y	Y
Tochtrop, Lois (Thornton)	Y	Y	Y	Y
Veiga, Jennifer (Denver)	Y	Y	Y	E
White, Al (Hayden)	N	N	Y	Y
Williams, Suzanne (Aurora)	Y	Y	Y	Y

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*These selected votes provide only a limited view of each legislator's voting record. This selected voting record does not highlight unrecorded matters such as work in committees and constituent services. This selected voting record does not reflect the overall qualification a legislator has for public office and should not be the sole determinate in evaluating a legislator.*