

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 10, 2016  
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB16-1148 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 10-22-106, **amend**  
4 (1) (d); and **add** (5) as follows:

5 **10-22-106. Powers and duties of the board.** (1) The board is the  
6 governing body of the exchange and has all the powers and duties  
7 necessary to implement this article. The board shall:

8 (d) Create technical and advisory groups ~~as needed~~ TO OPERATE  
9 ON AN ONGOING BASIS AND to report to the board AND PROVIDE GUIDANCE  
10 AT THE DIRECTION OF THE BOARD ON ISSUES THAT DIRECTLY OR  
11 INDIRECTLY AFFECT CONSUMERS. THE BOARD SHALL USE REASONABLE  
12 EFFORTS TO ENSURE THAT THE TECHNICAL AND ADVISORY GROUPS  
13 REFLECT GEOGRAPHIC DIVERSITY AND DIVERSE OPINIONS ON ISSUES  
14 AFFECTING CONSUMERS. The TECHNICAL AND advisory groups shall meet  
15 regularly throughout the year to discuss issues related to the exchange and  
16 make recommendations to the board; EXCEPT THAT, BEGINNING TWO  
17 YEARS AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (d), THE GROUPS  
18 SHALL MEET ONLY AS NECESSARY.

19 (5) (a) THE BOARD, WITH PUBLIC INPUT, SHALL SET A POLICY THAT  
20 MAKES CLEAR WHICH ACTIONS BY THE EXCHANGE REQUIRE PUBLIC  
21 SCRUTINY AND SHALL MAKE THE POLICY AVAILABLE TO THE COMMITTEE.  
22 IN DETERMINING WHICH ACTIONS REQUIRE PUBLIC SCRUTINY, THE BOARD  
23 SHALL CONSIDER THE EFFECTS THE EXCHANGE'S ACTIONS HAVE ON

1 CONSUMERS.

2 (b) PRIOR TO TAKING AN ACTION THAT REQUIRES PUBLIC SCRUTINY,  
3 THE EXCHANGE SHALL POST NOTICE OF THE PLANNED ACTION ON THE  
4 EXCHANGE WEBSITE AT LEAST THREE WEEKS PRIOR TO THE DATE OF THE  
5 BOARD MEETING AT WHICH THE ACTION WILL BE DISCUSSED. THE  
6 EXCHANGE SHALL PROVIDE TIME FOR PUBLIC COMMENTS AND QUESTIONS  
7 AT THE BOARD MEETING AND POST THE FINAL ACTION ON THE EXCHANGE  
8 WEBSITE.

9 (c) THE BOARD MAY ADOPT AN ACTION WITHOUT COMPLIANCE  
10 WITH PARAGRAPH (b) OF THIS SUBSECTION (5) IF THE BOARD FINDS THAT  
11 IMMEDIATE ADOPTION IS NECESSARY TO AVOID DISRUPTION OF THE  
12 CONTINUING OPERATION OF THE EXCHANGE. THE EXCHANGE SHALL MAKE  
13 THE ACTION AND THE REASONS FOR THE ACTION AVAILABLE TO THE  
14 PUBLIC.

15 **SECTION 2.** In Colorado Revised Statutes, 10-22-107, **amend**  
16 (7) as follows:

17 **10-22-107. Colorado health insurance exchange oversight**  
18 **committee - creation - duties.** (7) The board shall send the committee  
19 an annual report that contains the financial and operational plans of the  
20 exchange AND THE MAJOR ACTIONS TAKEN BY THE BOARD. The committee  
21 shall review the financial and operational plans of the exchange AND THE  
22 MAJOR ACTIONS TAKEN BY THE BOARD.

23 **SECTION 3. Effective date.** This act takes effect June 1, 2016.

24 **SECTION 4. Safety clause.** The general assembly hereby finds,  
25 determines, and declares that this act is necessary for the immediate  
26 preservation of the public peace, health, and safety."

27 Page 1, line 101, strike "ADDITIONAL" and substitute "THE".

28 Page 1, line 103, after "POLICIES" insert "THAT AFFECT CONSUMERS".

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