

CHAPTER 100

GOVERNMENT - STATE

SENATE BILL 18-131

BY SENATOR(S) Tate, Martinez Humenik, Moreno, Zenzinger, Crowder, Garcia, Guzman, Jones, Kagan, Merrifield, Priola, Todd;
also REPRESENTATIVE(S) Hooton, Arndt, McKean, Thurlow, Lontine, Melton, Michaelson Jenet, Valdez.

AN ACT**CONCERNING MODIFICATIONS TO THE "STATE EMPLOYEES GROUP BENEFITS ACT".**

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

SECTION 1. Legislative declaration. The general assembly declares that the purpose of Senate Bill 18-131, enacted in 2018, is to clarify language and repeal obsolete provisions in the "State Employees Group Benefits Act", part 6 of article 50 of title 24, Colorado Revised Statutes. The general assembly further declares that the addition of such clarifying language to the "State Employees Group Benefits Act" will bring the act into compliance with current state and federal law.

SECTION 2. In Colorado Revised Statutes, 24-50-603, **amend** (5)(a); and **repeal** (5)(c) as follows:

24-50-603. Definitions. As used in this part 6, unless the context otherwise requires:

(5) "Dependent" means:

(a) An employee's legal spouse; each ~~unmarried~~ child, including adopted children, stepchildren, and foster children, through the end of the month in which the child turns ~~nineteen~~ TWENTY-SIX years of age; ~~for whom the employee is the major source of financial support or for whom the employee is directed by court order to provide coverage;~~ each unmarried child ~~nineteen~~ years of age, through the end of the month in which that child is no longer a full-time student in an educational or vocational institution, but no longer than through the end of the month in which the full-time student turns twenty-four years of age, and for whom the employee is the major source of financial support or for whom the employee is

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~directed by court order to provide coverage;~~ or an unmarried child of any age who has either a physical or mental disability, as defined by the carrier, not covered under other government programs, and for whom the employee is the major source of financial support or for whom the employee is directed by court order to provide coverage;

~~(c) An employee's domestic partner, as authorized by the director by rule adopted in accordance with article 4 of this title, who has submitted documentation demonstrating a domestic partnership with an employee as required by such rules;~~

SECTION 3. In Colorado Revised Statutes, 24-50-605, **amend** (1)(a) and (1)(b); and **repeal** (5) as follows:

24-50-605. Group benefit plans - specifications - contracts. (1) (a) The specifications drawn by the director for any group benefit plans include those benefits as determined by the director or as otherwise specifically provided in this part 6. Such specifications shall include provisions for noncancellation for reasons of health of any individual employee by the carrier and transferability to other group benefit coverages or individual policies with the same carrier by the employee. ~~if such provisions do not limit the ability of the director to prepare specifications including a lifetime maximum benefit per employee or employee's covered dependents.~~

(b) At any time the director seeks to contract with any carriers under this section, the director shall first give ~~written~~ notice of such intent ~~through an announcement in a publication with statewide circulation~~ IN A MANNER DETERMINED BY THE DIRECTOR.

~~(5) The director shall evaluate the feasibility of offering a high deductible health plan that would qualify for a health savings account as described in 26 U.S.C. 223, as amended, for state employees. The director shall forward the findings based on such evaluation to the members of the health, environment, and institutions and business affairs and labor committees of the house of representatives and the senate no later than October 1, 2004. In the director's findings, the director shall list any impediments to implementing such high deductible health plans and any measures taken to implement such plans for state employees.~~

SECTION 4. In Colorado Revised Statutes, 24-50-608, **amend** (4) as follows:

24-50-608. Dependents - eligibility - election of coverage. (4) If a dependent is no longer eligible for coverage because the dependent turned ~~twenty-five~~ TWENTY-SIX years old, the director shall remove the dependent from the group benefit plan by the end of the month in which the dependent turned ~~twenty-five~~ TWENTY-SIX years old. If the director fails to remove the ineligible dependent, the employee and the employee's department shall not be directly financially liable for the premiums paid for the dependent coverage if no claims have been paid for the ineligible dependent. If the director fails to remove the ineligible dependent and a claim has been paid for the ineligible dependent, the employee and the employee's department shall not be directly financially liable for the paid claim. The costs for premiums and claims paid may be paid from the group benefit plans reserve fund established in section 24-50-613.

SECTION 5. In Colorado Revised Statutes, 24-50-609, **repeal** (2)(b)(II) as follows:

24-50-609. State contributions - supplemental state contribution fund - creation. (2) (b) (II) ~~Effective December 1, 2002, for the 2003 calendar year, the state of Colorado shall contribute an amount necessary to pay one hundred sixty-six dollars and twelve cents per month per single employee, two hundred thirty-nine dollars and fifteen cents per month per employee with one covered dependent, and three hundred twenty-eight dollars and eighty-seven cents per month per employee with two or more covered dependents for each employee enrolled in group benefit plans that include enrollment in medical benefits. The amounts specified in this subparagraph (H) may be adjusted for future years in accordance with subparagraph (I) of this paragraph (b) and section 24-50-104 (4).~~

SECTION 6. In Colorado Revised Statutes, 24-50-612, **repeal** (3) as follows:

24-50-612. Administrative duties. (3) ~~The director shall hold a public hearing prior to the acceptance of any proposal for a group benefit plan. Notice of the hearing shall be given at least fourteen days in advance by mailing such notice to persons on the list maintained by the department of personnel pursuant to section 24-4-103 (3)(b).~~

SECTION 7. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 2, 2018