

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0309.01 Christy Chase x2008

HOUSE BILL 24-1035

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HOUSE SPONSORSHIP

**Boesenecker and Jodeh**, Bradfield, Hartsook, Ricks

SENATE SPONSORSHIP

**Jaquez Lewis and Will**, Ginal, Michaelson Jenet, Roberts

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**House Committees**  
Health & Human Services

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING TECHNICAL MODIFICATIONS TO THE LAWS GOVERNING  
102 THE COLORADO HEALTH BENEFIT EXCHANGE, AND, IN  
103 CONNECTION THEREWITH, MODIFYING THE CRITERIA FOR  
104 MEMBERSHIP ON AND THE NUMBER OF MEETINGS OF THE  
105 COLORADO HEALTH INSURANCE EXCHANGE OVERSIGHT  
106 COMMITTEE, ADJUSTING THE TIMELINE FOR CERTAIN REPORTS  
107 AND PRESENTATIONS REGARDING THE OPERATIONS OF THE  
108 EXCHANGE, AND DIRECTING THE EXCHANGE TO ANNUALLY  
109 PRESENT ITS FINANCIAL AND OPERATIONAL PLANS AND MAJOR  
110 BOARD ACTIONS TO THE COMMITTEE.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

*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/>.)*

**Colorado Health Insurance Exchange Oversight Committee.**

The bill modifies provisions governing the Colorado health benefit exchange (exchange) by:

- Eliminating the requirement for the board of directors of the exchange (board) to submit a report on the development of the exchange to the governor and the general assembly by January 15 and instead requiring the report to be submitted annually and to address open enrollment;
- Requiring the board to also present an open enrollment update to specified legislative committees during each legislative session;
- Requiring the exchange, rather than the board, to annually present to the Colorado health insurance exchange oversight committee (committee) the exchange's financial and operational plans and the major actions taken by the board;
- Modifying the number of meetings of the committee during the interim; and
- Eliminating from the committee membership appointees who are members of the legislative audit committee.

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

2           **SECTION 1.** In Colorado Revised Statutes, 10-22-106, **amend**  
3 (1) introductory portion, (1)(d), and (1)(e) as follows:

4           **10-22-106. Powers and duties of the board.** (1) The board is the  
5 governing body of the exchange and has all the powers and duties  
6 necessary to implement this ~~article~~ ARTICLE 22. The board shall:

7           (d) Create technical and advisory groups to operate on an ongoing  
8 basis and to report to the board and provide guidance at the direction of  
9 the board on issues that directly or indirectly affect consumers. The board  
10 shall use reasonable efforts to ensure that the technical and advisory  
11 groups reflect geographic diversity and diverse opinions on issues

1 affecting consumers. The technical and advisory groups shall meet ~~at least~~  
2 ~~quarterly throughout the year~~ AS NECESSARY to discuss issues related to  
3 the exchange and TO make recommendations to the board. ~~except that,~~  
4 ~~beginning two years after June 1, 2016, the groups shall meet only as~~  
5 ~~necessary.~~

6 (e) Provide a written OPEN ENROLLMENT report ~~on or before~~  
7 ~~January 15 of each year,~~ to the governor and the general assembly  
8 ~~concerning the planning and establishment of the exchange~~ ANNUALLY  
9 and present ~~the report~~ AN OPEN ENROLLMENT UPDATE to the senate health  
10 and human services committee and the house of representatives health  
11 and ~~environment~~ INSURANCE committee, or their successor committees,  
12 DURING EACH LEGISLATIVE SESSION;

13 **SECTION 2.** In Colorado Revised Statutes, 10-22-107, **amend**  
14 (1)(a), (2), and (7) as follows:

15 **10-22-107. Colorado health insurance exchange oversight**  
16 **committee - creation - duties.** (1) (a) For the purposes of guiding  
17 implementation of an exchange in Colorado, making recommendations  
18 to the general assembly, and ensuring that the interests of Coloradans are  
19 protected and furthered, there is hereby created the Colorado health  
20 insurance exchange oversight committee. The committee shall meet at the  
21 call of the chair at least ~~two times~~ ONE TIME during each calendar year  
22 WHEN THE GENERAL ASSEMBLY IS NOT IN SESSION but no more than seven  
23 times during each calendar year when the general assembly is not in  
24 session. The committee may meet an unlimited number of times at the call  
25 of the chair when the general assembly is in session. The committee may  
26 use the legislative council staff to assist its members in researching any  
27 matters.

1           (2) (a) The president of the senate shall appoint three members to  
2 the committee. ~~Two appointees shall be members~~ ONE APPOINTEE MUST  
3 BE A MEMBER of the senate health and human services committee OR ITS  
4 SUCCESSOR COMMITTEE; ONE APPOINTEE MUST BE A MEMBER OF the  
5 SENATE business, labor, and technology committee or ~~the legislative audit~~  
6 ~~committee, or their successor committees.~~ ITS SUCCESSOR COMMITTEE;  
7 AND one appointee ~~shall~~ MUST be a representative of the senate at large.

8           (b) The speaker of the house of representatives shall appoint three  
9 members to the committee. ~~Two appointees shall be members~~ ONE  
10 APPOINTEE MUST BE A MEMBER of the house OF REPRESENTATIVES health  
11 and ~~environment~~ INSURANCE committee OR ITS SUCCESSOR COMMITTEE;  
12 ONE APPOINTEE MUST BE A MEMBER OF the ~~economic and business~~  
13 ~~development~~ HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR  
14 committee or ~~the legislative audit committee, or their successor~~  
15 ~~committees.~~ ITS SUCCESSOR COMMITTEE; AND one appointee ~~shall~~ MUST  
16 be a representative of the house of representatives at large.

17           (c) The minority leader of the senate shall appoint two members  
18 to the committee. One appointee ~~shall~~ MUST be a member of the senate  
19 health and human services committee OR OF the SENATE business, labor,  
20 and technology committee, ~~or the legislative audit committee,~~ or their  
21 successor committees; AND one appointee ~~shall~~ MUST be a representative  
22 of the senate at large.

23           (d) The minority leader of the house of representatives shall  
24 appoint two members to the committee. One appointee ~~shall~~ MUST be a  
25 member of the house OF REPRESENTATIVES health and ~~environment~~  
26 INSURANCE committee OR OF the ~~economic and~~ HOUSE OF  
27 REPRESENTATIVES business ~~development~~ AFFAIRS AND LABOR committee,

1 ~~or the legislative audit committee~~, or their successor committees; AND one  
2 appointee ~~shall~~ MUST be a representative of the house of representatives  
3 at large.

4 (e) Members of the committee shall serve at the pleasure of the  
5 appointing authority.

6 (7) The ~~board~~ EXCHANGE shall ~~send~~ ANNUALLY PRESENT TO the  
7 committee ~~an annual report that contains~~ the financial and operational  
8 plans of the exchange and the major actions taken by the board,  
9 particularly actions that affect consumers. The committee shall review the  
10 financial and operational plans of the exchange and the major actions  
11 taken by the board.

12 **SECTION 3. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly; except  
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
16 of the state constitution against this act or an item, section, or part of this  
17 act within such period, then the act, item, section, or part will not take  
18 effect unless approved by the people at the general election to be held in  
19 November 2024 and, in such case, will take effect on the date of the  
20 official declaration of the vote thereon by the governor.