

CHAPTER 50

INSURANCE

HOUSE BILL 08-1060

BY REPRESENTATIVE(S) Gagliardi, Benefield, Butcher, Casso, Hodge, Jahn, Kefalas, Kerr A., Labuda, Lundberg, Madden, McGihon, Merrifield, Primavera, Roberts, Solano, Stafford, Todd, Fischer, Frangas, Green, Kerr J., Riesberg, and Summers; also SENATOR(S) Hagedorn, Boyd, Gibbs, Gordon, Groff, Isgar, Keller, Kester, Mitchell S., Penry, Romer, Sandoval, Shaffer, Taylor, Tupa, Ward, Williams, and Windels.

AN ACT

CONCERNING THE PROCEDURE FOR DETERMINING WHETHER AN ADVANCED PRACTICE NURSE WILL BE GRANTED PARTICIPATING PROVIDER STATUS FOR A HEALTH BENEFIT PLAN.

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

SECTION 1. 10-16-125, Colorado Revised Statutes, is amended to read:

10-16-125. Reimbursement to nurses. (1) In counties of the state that are neither part of a metropolitan statistical area nor a primary statistical area, a carrier offering a health benefit plan shall not discriminate between a physician and an ~~advance~~ ADVANCED practice nurse not practicing under the direction of a physician when establishing reimbursement rates for covered services that could be provided by an ~~advance~~ ADVANCED practice nurse or a physician.

(2) IN ORDER TO IMPROVE ACCESS TO PRIMARY CARE AND CHOICES OF PROVIDERS, A CARRIER PROVIDING A HEALTH BENEFIT PLAN SHALL EVALUATE AN APPLICATION FOR STATUS AS A PARTICIPATING PROVIDER FROM AN ADVANCED PRACTICE NURSE UTILIZING OBJECTIVE AND REASONABLE CRITERIA AND SHALL TAKE INTO ACCOUNT THE PROVIDER-TO-COVERED-PERSON RATIO FOR THE COVERED BENEFITS THAT APPROPRIATELY MAY BE PROVIDED BY THE ADVANCED PRACTICE NURSE. THE CARRIER SHALL MAKE A DETERMINATION ON AN APPLICATION FOR PARTICIPATING PROVIDER STATUS SUBMITTED BY AN ADVANCED PRACTICE NURSE, AND NOTIFY THE APPLICANT OF ITS DETERMINATION, WITHIN THE SAME PERIOD IN WHICH THE CARRIER MAKES A PARTICIPATING PROVIDER DETERMINATION FOR PHYSICIANS. IF THE APPLICATION IS DENIED, THE CARRIER SHALL SPECIFY THE REASON FOR THE DENIAL. IF THE APPLICATION IS APPROVED, THE CARRIER SHALL LIST THE ADVANCED PRACTICE NURSE IN THE PROVIDER DIRECTORY FOR THE HEALTH BENEFIT PLAN.

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

SECTION 2. Effective date. (1) This act shall take effect January 1, 2009.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.

Approved: March 20, 2008