

**Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 16-0284.01 Kristen Forrestal x4217

**SENATE BILL 16-006**

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**SENATE SPONSORSHIP**

**Martinez Humenik**, Lundberg, Roberts, Tate

**HOUSE SPONSORSHIP**

**Sias**, Landgraf

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE USE OF QUALIFIED INSURANCE BROKERS TO ENROLL**  
102                    **ELIGIBLE PARTICIPANTS IN HEALTH BENEFIT PLANS THROUGH**  
103                    **THE COLORADO HEALTH BENEFIT EXCHANGE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does 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://www.leg.state.co.us/billsummaries>.)*

**Colorado Health Insurance Exchange Oversight Committee.**  
The bill requires the Colorado health benefit exchange (exchange) to establish a system to refer consumers to qualified insurance brokers to enroll consumers in health benefit plans. To be qualified, an insurance broker must be licensed by the commissioner of insurance and be certified

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
Amended 2nd Reading  
February 9, 2016

by the exchange.

The system must include the installation of a call center and the necessary software to make the referrals.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 10-22-112 as  
3 follows:

4 **10-22-112. Health benefit exchange - referral to private**  
5 **insurance brokers.** (1) ON OR BEFORE NOVEMBER 1, 2016, THE  
6 EXCHANGE SHALL ESTABLISH A PROTOCOL FOR QUALIFIED INSURANCE  
7 BROKERS, AS DETERMINED UNDER SUBSECTION (2) OF THIS SECTION TO  
8 ASSIST CONSUMERS IN ENROLLING IN HEALTH BENEFIT PLANS. UPON A  
9 CONSUMER'S INITIAL CONTACT WITH THE EXCHANGE, WHETHER ONLINE,  
10 BY TELEPHONE, OR ON THE INTERNET, THE EXCHANGE SHALL INFORM THE  
11 CONSUMER THAT HE OR SHE HAS THE OPTION OF SELECTING COVERAGE  
12 ONLINE OR WITH THE ASSISTANCE OF A NAVIGATOR OR WITH THE  
13 ASSISTANCE OF A QUALIFIED INSURANCE BROKER. THE EXCHANGE SHALL  
14 INFORM THE CONSUMER THAT A NAVIGATOR MAY ASSIST WITH A HEALTH  
15 BENEFIT PLAN SELECTION, BUT MAY NOT OFFER ADVICE ON A HEALTH  
16 BENEFIT PLAN BASED ON THE CONSUMER'S INDIVIDUAL SITUATION,  
17 WHEREAS A QUALIFIED BROKER MAY OFFER ADVICE BASED ON THE  
18 CONSUMER'S PERSONAL AND FAMILY SITUATION AT NO ADDITIONAL COST  
19 TO THE CONSUMER. THE EXCHANGE SHALL MAINTAIN WEB-BASED TOOLS  
20 THAT ALLOW INSURANCE BROKERS TO DEVELOP AND MAINTAIN CLIENT  
21 RELATIONSHIPS FOR CUSTOMERS WHO ARE ELIGIBLE TO ENROLL IN PRIVATE  
22 HEALTH BENEFIT PLANS IF THE CLIENT REQUESTS THIS OPTION. A  
23 CUSTOMER SERVICE REPRESENTATIVE FROM THE EXCHANGE SHALL ASSIST  
24 CONSUMERS WITH THE ELIGIBILITY APPLICATION PROCESS. IF IT IS

1 DETERMINED THAT A CONSUMER IS NOT ELIGIBLE FOR MEDICAID OR  
2 ANOTHER GOVERNMENTAL HEALTH BENEFIT PROGRAM, THE CUSTOMER  
3 SERVICE REPRESENTATIVE SHALL OFFER TO TRANSFER THE CONSUMER TO  
4 A QUALIFIED INSURANCE BROKER. UPON TRANSFER OF A CONSUMER FROM  
5 THE EXCHANGE, THE QUALIFIED INSURANCE BROKER SHALL ASSIST THE  
6 CONSUMER WITH THE HEALTH INSURANCE ENROLLMENT PROCESS.

7 (2) IN ORDER TO BE QUALIFIED TO RECEIVE A REFERRAL FROM THE  
8 EXCHANGE, AN INSURANCE BROKER MUST BE AUTHORIZED BY THE  
9 EXCHANGE AND BE LICENSED PURSUANT TO ARTICLE 2 OF THIS TITLE.

10 (3) THE PROTOCOL ESTABLISHED BY THE EXCHANGE SHALL:

11 (a) INCLUDE A CALL CENTER WHERE CONSUMERS CAN BE  
12 TRANSFERRED TO QUALIFIED INSURANCE BROKERS FOR IMMEDIATE  
13 ASSISTANCE;

14 (b) ALLOW BROKERS TO QUEUE INTO THE SYSTEM WHEN THEY ARE  
15 AVAILABLE TO ASSIST CONSUMERS; AND

16 (c) MAKE THE NECESSARY SOFTWARE AVAILABLE TO QUALIFIED  
17 INSURANCE BROKERS.

18 (4) AS USED IN THIS SECTION, "INSURANCE BROKER" MEANS AN  
19 INSURANCE PRODUCER AS DEFINED IN SECTION 10-2-103.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.