

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 20-043

BY SENATOR(S) Tate, Moreno, Woodward, Zenzinger, Gardner;
also REPRESENTATIVE(S) Valdez D., Arndt, McKean, Van Winkle,
Buentello, Esgar, Melton, Michaelson Jenet, Titone.

CONCERNING A CORRECTION TO THE RATE OF REIMBURSEMENT THAT AN
OUT-OF-NETWORK HEALTH CARE PROVIDER IS ENTITLED TO RECEIVE
FROM A HEALTH INSURANCE CARRIER FOR SERVICES PROVIDED TO A
COVERED PERSON AT AN IN-NETWORK FACILITY WHEN THE HEALTH
CARE PROVIDER SUBMITS A CLAIM TO THE CARRIER WITHIN THE
SPECIFIED TIME PERIOD TO CONFORM WITH EXISTING LAW.

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

SECTION 1. Legislative declaration. The general assembly declares that the purpose of this act is to correct errors in a statutory provision relating to the Colorado division of insurance in the department of regulatory agencies. The general assembly further declares that amending these statutory provisions does not alter the scope or applicability of the remaining statutes.

SECTION 2. In Colorado Revised Statutes, 12-30-113, **amend** (4)(a) as follows:

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

12-30-113. Out-of-network health care providers - out-of-network services - billing - payment. (4) (a) An out-of-network health care provider must send a claim for a covered service to the carrier within one hundred eighty days after the receipt of insurance information in order to receive reimbursement as specified in this subsection (4)(a). The reimbursement rate is the greater of:

(I) One hundred ~~five~~ TEN percent of the carrier's median in-network rate of reimbursement for that service provided in the same geographic area; or

(II) The ~~median~~ SIXTIETH PERCENTILE OF THE in-network rate of reimbursement for the same service in the same geographic area for the prior year based on claims data from the all-payer health claims database ~~created~~ DESCRIBED in section 25.5-1-204.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO