

CHAPTER 21

INSURANCE

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.

AN ACT

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:

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.

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.

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.

Approved: March 11, 2020