

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 25-0311.01 Kristen Forrestal x4217

SENATE BILL 25-010

SENATE SPONSORSHIP

Mullica and Pelton B.,

HOUSE SPONSORSHIP

Brown,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING ELECTRONIC COMMUNICATIONS IN HEALTH CARE.**

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://leg.colorado.gov>.)

Subject to specific requirements, the bill allows a notice to a party or other document required by law in an insurance transaction or that is to serve as evidence of health insurance coverage to be delivered, stored, and presented by electronic means if the electronic means meet the requirements of the "Uniform Electronic Transactions Act". The delivery of a notice or document by electronic means is considered the equivalent to and has the same effect as any other delivery method required by law. The bill requires health insurance carriers to deliver paper

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.

SENATE
Amended 2nd Reading
February 4, 2025

communications to individuals that may not have consistent access to the internet and to any individuals that may elect to receive paper communications upon request.

An insurance producer is not subject to civil liability for any harm or injury that occurs because of a party's election to receive any notice or document by electronic means or by a carrier's failure to deliver or a party's failure to receive a notice or document by electronic means.

A carrier may mail, deliver, or, if the carrier obtains separate, specific consent, post on the carrier's website a health coverage plan and an endorsement that does not contain personal identifying information. If the carrier elects to post a health coverage plan and an endorsement on the carrier's website in lieu of mailing or delivering the health coverage plan and endorsement, the carrier shall comply with certain conditions.

The commissioner of insurance is required to adopt rules to implement the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, 10-16-135, **amend**
3 **(1)(a) introductory portion, (1)(b), (1)(c); and add (1)(d), as follows:**

4 **10-16-135. Health coverage plan information cards - rules -**
5 **standardization - contents.** (1) (a) The commissioner shall adopt rules
6 requiring every carrier providing a health benefit plan to issue to covered
7 persons to whom a health benefit plan identification card is issued a
8 standardized, printed, ELECTRONIC card containing plan information. To
9 the extent possible, the rules shall incorporate and not conflict with the
10 requirements of section 10-16-124 regarding prescription information
11 cards. ~~The commissioner shall adopt initial rules by October 31, 2008,~~
12 ~~that describe the format of a standardized, printed card to be issued by~~
13 ~~carriers to persons covered under a health benefit plan to whom health~~
14 ~~benefit plan identification cards are issued. The rules establishing the~~
15 format for the printed OR ELECTRONIC card shall include a standard size,
16 shall require the card to be legible and photocopied, and shall delineate
17 the information to be contained on the card, including but not limited to

1 the following information, as applicable:

2 (b) The rules adopted pursuant to paragraph (a) of this subsection
3 (1) shall require all carriers to A CARRIER SHALL issue a standardized,
4 printed, OR ELECTRONIC card to a covered person to whom a health
5 benefit plan identification card is issued upon the purchase or renewal of
6 or enrollment in a plan. on or after July 1, 2009. No later than July 1,
7 2010, all carriers shall issue the standardized, printed card to covered
8 persons to whom health benefit plan identification cards are issued

9 (c) Nothing in this section shall preclude a carrier from including
10 information on the standardized, printed, OR ELECTRONIC cards that is in
11 addition to the information required to be included on the card pursuant
12 to rules adopted pursuant to this section.

13 (d) A CARRIER SHALL PROVIDE A PRINTED CARD TO A COVERED
14 PERSON UPON REQUEST.

15 **SECTION 2.** In Colorado Revised Statutes, **add** 10-16-170 as
16 follows:

17 **10-16-170. Delivery of notices and documents by electronic**
18 **means - definitions - consent required - withdrawal of consent -**
19 **employers - immunity from liability - posting of plans and**
20 **endorsements on carrier website - applicability - rules. (1) AS USED**
21 **IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:**

22 (a) "DELIVERED BY ELECTRONIC MEANS" MEANS:

23 (I) DELIVERY TO AN ELECTRONIC MAIL ADDRESS AT WHICH A
24 PARTY HAS CONSENTED TO RECEIVE NOTICES OR DOCUMENTS; OR

25 (II) POSTING ON AN ELECTRONIC NETWORK, SITE, OR CONSUMER
26 PORTAL ACCESSIBLE VIA THE INTERNET, A MOBILE APPLICATION, A
27 COMPUTER, A MOBILE DEVICE, A TABLET, OR ANY OTHER ELECTRONIC

1 DEVICE, TOGETHER WITH SEPARATE NOTICE OF THE POSTING PROVIDED BY
2 ELECTRONIC MAIL TO THE ADDRESS AT WHICH THE PARTY HAS CONSENTED
3 TO RECEIVE NOTICE OR BY ANY OTHER DELIVERY METHOD THAT HAS BEEN
4 CONSENTED TO BY THE PARTY. THE SEPARATE NOTICE OF THE POSTING
5 MUST CONTAIN THE INTERNET ADDRESS AT WHICH THE DOCUMENTS ARE
6 POSTED, AND DELIVERY IS EFFECTIVE UPON THE POSTING OR THE ACTUAL
7 DELIVERY OF THE SEPARATE NOTICE OF THE POSTING, WHICHEVER OCCURS
8 LATER.

9 (b) "PARTY" MEANS A RECIPIENT OF A NOTICE OR DOCUMENT
10 REQUIRED AS PART OF AN INSURANCE TRANSACTION, INCLUDING AN
11 APPLICANT FOR HEALTH INSURANCE COVERAGE, A COVERED PERSON, A
12 POLICYHOLDER, OR AN ANNUITY CONTRACT HOLDER.

13 (2) (a) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 16 TO
14 THE CONTRARY, SUBJECT TO THE REQUIREMENTS OF THIS SECTION, A
15 NOTICE TO OR FROM A PARTY OR OTHER DOCUMENT REQUIRED BY LAW IN
16 AN INSURANCE TRANSACTION THAT IS RELATED TO A PROVISION IN A
17 HEALTH INSURANCE CONTRACT OR THAT IS TO SERVE AS EVIDENCE OF
18 HEALTH INSURANCE COVERAGE MAY BE DELIVERED BY A CARRIER OR TO
19 A CARRIER, STORED, AND PRESENTED BY ELECTRONIC MEANS IF THE
20 ELECTRONIC MEANS MEET THE REQUIREMENTS OF THE "UNIFORM
21 ELECTRONIC TRANSACTIONS ACT", ARTICLE 71.3 OF TITLE 24.

22 (b) THE DELIVERY OF A NOTICE OR DOCUMENT IN ACCORDANCE
23 WITH THIS SECTION IS CONSIDERED THE EQUIVALENT TO AND HAS THE
24 SAME EFFECT AS ANY DELIVERY METHOD REQUIRED BY LAW, INCLUDING
25 DELIVERY BY FIRST-CLASS MAIL, FIRST-CLASS MAIL WITH POSTAGE
26 PREPAID, CERTIFIED MAIL, CERTIFICATE OF MAIL, OR CERTIFICATE OF
27 MAILING.

1 (c) A CARRIER SHALL ESTABLISH A CONSUMER PORTAL OR OTHER
2 ACCESSIBLE MEANS FOR POLICYHOLDERS TO SUBMIT REQUESTS, NOTICES,
3 OR RESPONSES TO THE CARRIER BY ELECTRONIC MEANS, INCLUDING THE
4 ABILITY TO CONFIRM THAT THE COMMUNICATION BY ELECTRONIC MEANS
5 HAS BEEN RECEIVED BY THE CARRIER.

6 (d) A CARRIER SHALL NOT REQUIRE POLICYHOLDERS TO SUBMIT
7 REQUESTS, NOTICES, OR RESPONSES BY FACSIMILE OR NON-ELECTRONIC
8 MEANS, UNLESS THE CONSUMER CHOOSES SUBMISSION BY FACSIMILE OR
9 NONELECTRONIC MEANS.

10 (3) A NOTICE OR DOCUMENT MAY BE DELIVERED BY ELECTRONIC
11 MEANS BY A CARRIER TO A PARTY PURSUANT TO THIS SECTION IF:

12 (a) THE PARTY HAS AFFIRMATIVELY CONSENTED ELECTRONICALLY,
13 OR CONFIRMED CONSENT ELECTRONICALLY, IN A MANNER THAT
14 REASONABLY DEMONSTRATES THAT THE PARTY CAN ACCESS INFORMATION
15 IN THE ELECTRONIC FORM THAT WILL BE USED FOR NOTICES OR
16 DOCUMENTS DELIVERED BY ELECTRONIC MEANS TO WHICH THE PARTY HAS
17 GIVEN CONSENT, AND THE PARTY HAS NOT WITHDRAWN THE CONSENT;
18 AND

19 (b) BEFORE THE PARTY CONSENTS, THE CARRIER PROVIDES THE
20 PARTY A CLEAR AND CONSPICUOUS STATEMENT INFORMING THE PARTY OF:

21 (I) THE HARDWARE AND SOFTWARE REQUIREMENTS FOR ACCESS
22 TO AND RETENTION OF A NOTICE OR DOCUMENT DELIVERED BY
23 ELECTRONIC MEANS;

24 (II) THE TYPES OF NOTICES AND DOCUMENTS TO WHICH THE
25 PARTY'S CONSENT APPLIES;

26 (III) THE RIGHT OF THE PARTY TO WITHDRAW CONSENT AT ANY
27 TIME, AT NO CHARGE, AND ANY CONDITIONS OR CONSEQUENCES TO BE

1 IMPOSED IN THE EVENT CONSENT IS WITHDRAWN;

2 (IV) THE PROCEDURES A PARTY MUST FOLLOW TO WITHDRAW
3 CONSENT, WHICH PROCEDURES MUST BE NO MORE BURDENSOME THAN THE
4 PROCEDURES REQUIRED TO PROVIDE CONSENT, TO HAVE A NOTICE OR
5 DOCUMENT DELIVERED BY ELECTRONIC MEANS, OR TO UPDATE THE
6 PARTY'S ELECTRONIC MAIL ADDRESS; AND

7 (V) THE PARTY'S RIGHT TO HAVE ANY NOTICE OR DOCUMENT
8 DELIVERED IN PAPER FORM UPON REQUEST.

9 (4) (a) NOTWITHSTANDING SUBSECTION (3) OF THIS SECTION, AN
10 EMPLOYER OFFERING A HEALTH COVERAGE PLAN MAY, ON BEHALF OF A
11 COVERED PERSON ENROLLED IN THE PLAN, PROVIDE CONSENT TO THE
12 MAILING OF ALL COMMUNICATIONS RELATED TO THE PLAN BY ELECTRONIC
13 MEANS IF, BEFORE CONSENTING ON BEHALF OF A COVERED PERSON, AN
14 EMPLOYER HAS:

15 (I) CONFIRMED THAT THE COVERED PERSON ROUTINELY USES
16 ELECTRONIC COMMUNICATIONS DURING THE NORMAL COURSE OF
17 EMPLOYMENT AND IS ABLE TO ACCESS AND RETAIN ELECTRONIC
18 COMMUNICATIONS THAT MAY BE DELIVERED BY THE CARRIER; AND

19 (II) INFORMED THE COVERED PERSON THAT THE CONSENT WILL BE
20 PROVIDED AND NOTICES AND DOCUMENTS RELATED TO THE PLAN MAY BE
21 DELIVERED TO THE COVERED PERSON'S WORK ELECTRONIC MAIL ADDRESS
22 UNLESS THE COVERED PERSON AFFIRMATIVELY OPTS OUT OF DELIVERY BY
23 ELECTRONIC MEANS OR PROVIDES AN ALTERNATIVE ELECTRONIC MAIL
24 ADDRESS.

25 (b) THE CARRIER FOR THE HEALTH COVERAGE PLAN SHALL:

26 (I) PROVIDE THE COVERED PERSON WITH A CLEAR AND
27 CONSPICUOUS STATEMENT INFORMING THE COVERED PERSON OF:

1 (A) THE TYPES OF NOTICES AND DOCUMENTS THAT MAY BE
2 DELIVERED TO THE COVERED PERSON BY ELECTRONIC MEANS;

3 (B) THE RIGHT OF THE COVERED PERSON TO WITHDRAW CONSENT
4 TO HAVE A NOTICE OR DOCUMENT DELIVERED BY ELECTRONIC MEANS AT
5 ANY TIME WITHOUT CHARGE;

6 (C) THE PROCEDURES THE COVERED PERSON MUST FOLLOW TO
7 WITHDRAW CONSENT TO HAVE A NOTICE OR DOCUMENT DELIVERED BY
8 ELECTRONIC MEANS AND TO UPDATE THE COVERED PERSON'S ELECTRONIC
9 MAIL ADDRESS; AND

10 (D) THE RIGHT OF THE COVERED PERSON TO HAVE ANY NOTICE OR
11 DOCUMENT DELIVERED, UPON REQUEST, IN PAPER FORM FREE OF CHARGE;
12 AND

13 (II) PROVIDE THE COVERED PERSON AN OPPORTUNITY TO OPT OUT
14 OF DELIVERY BY ELECTRONIC MEANS.

15 (5) A CARRIER THAT RECEIVES A PARTY'S CONSENT FOR THE
16 DELIVERY OF NOTICES OR DOCUMENTS BY ELECTRONIC MEANS SHALL
17 ENSURE THAT THE APPLICABLE PROVISIONS OF THE CONDITIONS UNDER
18 THE "UNIFORM ELECTRONIC TRANSACTIONS ACT", ARTICLE 71.3 OF TITLE
19 24, ARE SATISFIED, AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION.

20 (6) (a) WHEN A NOTICE OR DOCUMENT IS PROVIDED
21 ELECTRONICALLY TO A PARTY PURSUANT TO THIS SECTION, A CARRIER
22 SHALL APPRISE THE PARTY OF THE SIGNIFICANCE OF THE NOTICE OR
23 DOCUMENT, WHEN IT IS NOT OTHERWISE REASONABLY EVIDENT, AND OF
24 THE RIGHT TO REQUEST AND OBTAIN A PAPER VERSION OF THE NOTICE OR
25 DOCUMENT.

26 (b) A CARRIER SHALL TAKE ALL REASONABLE MEASURES TO
27 ENSURE THAT DELIVERY BY ELECTRONIC MEANS PURSUANT TO THIS

1 SECTION RESULTS IN THE PARTY'S RECEIPT OF THE NOTICE OR DOCUMENT.

2 (7) AFTER A PARTY GIVES CONSENT FOR THE DELIVERY OF NOTICES
3 AND DOCUMENTS BY ELECTRONIC MEANS, IF A CHANGE IN THE HARDWARE
4 OR SOFTWARE REQUIREMENTS NEEDED TO ACCESS OR RETAIN A NOTICE OR
5 DOCUMENT CREATES A MATERIAL RISK THAT THE PARTY WILL NOT BE
6 ABLE TO ACCESS OR RETAIN A NOTICE OR DOCUMENT TO WHICH THE
7 CONSENT APPLIES, THE CARRIER SHALL NOT DELIVER THE NOTICE OR
8 DOCUMENT BY ELECTRONIC MEANS UNLESS THE CARRIER COMPLIES WITH
9 SUBSECTION (3) OF THIS SECTION AND PROVIDES THE PARTY A STATEMENT
10 THAT DESCRIBES:

11 (a) THE REVISED HARDWARE AND SOFTWARE REQUIREMENTS FOR
12 ACCESS TO AND RETENTION OF A NOTICE OR DOCUMENT DELIVERED BY
13 ELECTRONIC MEANS; AND

14 (b) THE RIGHT OF THE PARTY TO WITHDRAW CONSENT WITHOUT
15 THE IMPOSITION OF ANY CONDITION OR CONSEQUENCE THAT WAS NOT
16 DISCLOSED AT THE TIME OF INITIAL CONSENT.

17 (8) (a) THIS SECTION DOES NOT AFFECT REQUIREMENTS RELATED
18 TO THE CONTENT OR TIMING OF ANY NOTICE OR DOCUMENT REQUIRED BY
19 ANY OTHER APPLICABLE LAW.

20 (b) IF ANOTHER APPLICABLE LAW EXPRESSLY REQUIRES A
21 CONFIRMATION OF RECEIPT OF A NOTICE OR DOCUMENT, THE NOTICE OR
22 DOCUMENT MAY BE DELIVERED BY ELECTRONIC MEANS ONLY IF THE
23 METHOD USED PROVIDES FOR ACTIVE CONFIRMATION OF RECEIPT BY THE
24 RECIPIENT.

25 (c) THIS SECTION DOES NOT APPLY TO A NOTICE OR DOCUMENT
26 THAT A CARRIER DELIVERED BY ELECTRONIC MEANS BEFORE THE
27 EFFECTIVE DATE OF THIS SECTION TO A PARTY WHO, BEFORE THAT DATE,

1 CONSENTED TO RECEIVE THE NOTICE OR DOCUMENT BY ELECTRONIC
2 MEANS AS OTHERWISE ALLOWED BY LAW.

3 (d) THE LEGAL EFFECTIVENESS, VALIDITY, OR ENFORCEABILITY OF
4 ANY CONTRACT OR POLICY OF INSURANCE EXECUTED BY A PARTY SHALL
5 NOT BE DENIED SOLELY BECAUSE OF THE FAILURE OF THE CARRIER TO
6 OBTAIN OR CONFIRM THE PARTY'S CONSENT FOR THE DELIVERY OF NOTICES
7 OR DOCUMENTS BY ELECTRONIC MEANS SO LONG AS THE NOTICE OR
8 DOCUMENT IS DELIVERED IN PAPER FORM.

9 (9) (a) A PARTY'S WITHDRAWAL OF CONSENT DOES NOT AFFECT
10 THE LEGAL EFFECTIVENESS, VALIDITY, OR ENFORCEABILITY OF A NOTICE
11 OR DOCUMENT THAT IS DELIVERED BY ELECTRONIC MEANS TO THE PARTY
12 BEFORE THE PARTY'S WITHDRAWAL OF CONSENT IS EFFECTIVE.

13 (b) A WITHDRAWAL OF CONSENT BY A PARTY SHALL BE EFFECTIVE
14 WITHIN A REASONABLE PERIOD OF TIME AFTER RECEIPT OF THE
15 WITHDRAWAL BY THE CARRIER.

16 (c) A CARRIER'S FAILURE TO COMPLY WITH SUBSECTION (3) OR (4)
17 OF THIS SECTION MAY BE TREATED, AT THE ELECTION OF A PARTY, AS A
18 WITHDRAWAL OF THE PARTY'S CONSENT FOR PURPOSES OF THIS SECTION.

19 (10) IF THE CONSENT OF A PARTY TO RECEIVE NOTICES OR
20 DOCUMENTS BY ELECTRONIC MEANS IS ON FILE WITH A CARRIER BEFORE
21 THE EFFECTIVE DATE OF THIS SECTION, AND A CARRIER INTENDS TO
22 DELIVER ADDITIONAL NOTICES OR DOCUMENTS TO THE PARTY BY
23 ELECTRONIC MEANS PURSUANT TO THIS SECTION, THEN PRIOR TO
24 DELIVERING THE ADDITIONAL NOTICES OR DOCUMENTS BY ELECTRONIC
25 MEANS, THE CARRIER SHALL COMPLY WITH SUBSECTION (2) OF THIS
26 SECTION AND SHALL PROVIDE THE PARTY A STATEMENT THAT DESCRIBES:

27 (a) THE NOTICES OR DOCUMENTS TO BE DELIVERED BY ELECTRONIC

1 MEANS THAT WERE NOT PREVIOUSLY DELIVERED BY ELECTRONIC MEANS;
2 AND

3 (b) THE PARTY'S RIGHT TO WITHDRAW CONSENT TO HAVE NOTICES
4 OR DOCUMENTS DELIVERED BY ELECTRONIC MEANS, WITHOUT THE
5 IMPOSITION OF ANY CONDITION OR CONSEQUENCE THAT WAS NOT
6 DISCLOSED AT THE TIME OF INITIAL CONSENT.

7 (11) (a) A CARRIER SHALL DELIVER A NOTICE OR DOCUMENT BY
8 ANY OTHER DELIVERY METHOD PERMITTED BY LAW OTHER THAN BY
9 ELECTRONIC MEANS IF:

10 (I) THE CARRIER ATTEMPTS TO DELIVER THE NOTICE OR DOCUMENT
11 BY ELECTRONIC MEANS AND REASONABLY BELIEVES THAT THE NOTICE OR
12 DOCUMENT HAS NOT BEEN RECEIVED BY THE PARTY; OR

13 (II) THE CARRIER BECOMES AWARE THAT THE ELECTRONIC MAIL
14 ADDRESS PROVIDED BY THE PARTY IS NO LONGER VALID.

15 (b) A PARTY'S CONSENT TO HAVE NOTICES OR DOCUMENTS
16 DELIVERED BY ELECTRONIC MEANS DOES NOT PRECLUDE THE CARRIER
17 FROM DELIVERING A NOTICE OR DOCUMENT BY ANY OTHER DELIVERY
18 METHOD PERMITTED BY LAW.

19 (12) AN INSURANCE PRODUCER LICENSED PURSUANT TO PART 4 OF
20 ARTICLE 2 OF THIS TITLE 10 IS NOT SUBJECT TO CIVIL LIABILITY FOR ANY
21 HARM OR INJURY THAT OCCURS BECAUSE OF A PARTY'S ELECTION TO
22 RECEIVE ANY NOTICE OR DOCUMENT BY ELECTRONIC MEANS OR BY A
23 CARRIER'S FAILURE TO DELIVER OR A PARTY'S FAILURE TO RECEIVE A
24 NOTICE OR DOCUMENT BY ELECTRONIC MEANS.

25 (13) (a) A HEALTH COVERAGE PLAN AND AN ENDORSEMENT THAT
26 DOES NOT CONTAIN PERSONAL IDENTIFYING INFORMATION MAY BE
27 MAILED, DELIVERED, OR, IF THE CARRIER OBTAINS SEPARATE, SPECIFIC

1 CONSENT, POSTED ON THE CARRIER'S WEBSITE. IF THE CARRIER ELECTS TO
2 POST A COVERED PERSON'S HEALTH COVERAGE PLAN AND AN
3 ENDORSEMENT ON THE CARRIER'S WEBSITE IN LIEU OF MAILING OR
4 DELIVERING THE HEALTH COVERAGE PLAN AND ENDORSEMENT TO THE
5 COVERED PERSON, THE CARRIER SHALL COMPLY WITH THE FOLLOWING
6 CONDITIONS:

7 (I) THE HEALTH COVERAGE PLAN AND ENDORSEMENT MUST BE
8 ACCESSIBLE TO THE COVERED PERSON AND PRODUCER OF RECORD AND
9 REMAIN ACCESSIBLE WHILE THE HEALTH COVERAGE PLAN IS IN FORCE;

10 (II) AFTER THE EXPIRATION OF THE HEALTH COVERAGE PLAN, THE
11 CARRIER SHALL EITHER:

12 (A) MAKE THE EXPIRED HEALTH COVERAGE PLAN AND
13 ENDORSEMENT AVAILABLE UPON REQUEST, FOR A PERIOD OF FIVE YEARS;

14 OR

15 (B) IF THE CARRIER CONTINUES TO MAKE THE EXPIRED HEALTH
16 COVERAGE PLAN OR ENDORSEMENT AVAILABLE ON ITS WEBSITE, CONTINUE
17 TO ALLOW THE COVERED PERSON TO ACCESS THE HEALTH COVERAGE PLAN
18 AND ENDORSEMENT FOR AT LEAST FIVE YEARS;

19 (III) THE CARRIER SHALL POST THE HEALTH COVERAGE PLAN AND
20 ENDORSEMENT IN A MANNER THAT ENABLES THE COVERED PERSON AND
21 PRODUCER OF RECORD TO PRINT AND SAVE THE HEALTH COVERAGE PLAN
22 AND ENDORSEMENT USING A PROGRAM OR APPLICATION THAT IS WIDELY
23 AVAILABLE ON THE INTERNET AND FREE TO USE;

24 (IV) THE CARRIER SHALL PROVIDE THE FOLLOWING INFORMATION
25 IN, OR SIMULTANEOUS WITH, EACH DECLARATION PAGE PROVIDED AT THE
26 TIME OF ISSUANCE OF THE INITIAL HEALTH COVERAGE PLAN AND ANY
27 RENEWALS OF THE HEALTH COVERAGE PLAN:

1 (A) A DESCRIPTION OF THE EXACT HEALTH COVERAGE PLAN AND
2 ENDORSEMENT FORM APPLICABLE TO THE COVERED PERSON;

3 (B) A DESCRIPTION OF THE COVERED PERSON'S RIGHT TO RECEIVE,
4 UPON REQUEST AND WITHOUT CHARGE, AN ELECTRONIC AND A PAPER COPY
5 OF THE HEALTH COVERAGE PLAN AND ENDORSEMENT; AND

6 (C) THE INTERNET ADDRESS AT WHICH THE HEALTH COVERAGE
7 PLAN AND ENDORSEMENT ARE POSTED;

8 (V) THE CARRIER, UPON A COVERED PERSON'S REQUEST AND
9 WITHOUT CHARGE FOLLOWING RECEIPT OF THE INITIAL COPY, SHALL MAIL
10 A PAPER COPY OF THE HEALTH COVERAGE PLAN AND ENDORSEMENT TO
11 THE COVERED PERSON; EXCEPT THAT THE CARRIER MAY CHARGE A FEE FOR
12 SUBSEQUENT MAILINGS OF PAPER COPIES; AND

13 (VI) THE CARRIER SHALL PROVIDE NOTICE, EITHER
14 ELECTRONICALLY OR IN WRITING AT THE COVERED PERSON'S OPTION, OF:

15 (A) ANY CHANGE TO THE FORMS OR ENDORSEMENT;

16 (B) THE COVERED PERSON'S RIGHT TO OBTAIN, UPON REQUEST AND
17 ONCE WITHOUT CHARGE FOLLOWING RECEIPT OF THE INITIAL COPY, A
18 PAPER COPY OF THE FORMS OR ENDORSEMENT; AND

19 (C) THE INTERNET ADDRESS AT WHICH THE FORMS OR
20 ENDORSEMENT IS POSTED.

21 (b) THIS SUBSECTION (13) DOES NOT AFFECT THE TIMING OR
22 CONTENT OF ANY DISCLOSURE OR DOCUMENT REQUIRED TO BE PROVIDED
23 OR MADE AVAILABLE TO ANY COVERED PERSON UNDER APPLICABLE LAW.

24 (14) ON OR BEFORE JANUARY 1, 2026, THE COMMISSIONER SHALL
25 ADOPT RULES TO IMPLEMENT THIS SECTION, INCLUDING RULES THAT
26 REQUIRE EACH CARRIER THAT PROVIDES A HEALTH COVERAGE PLAN TO:

27 (a) ISSUE A STANDARDIZED WRITTEN OR ELECTRONIC CARD

1 CONTAINING NECESSARY PLAN INFORMATION TO EACH COVERED PERSON;
2 AND

3 (b) ISSUE A WRITTEN VERSION OF THE CARD CONTAINING THE
4 REQUIRED INFORMATION TO A COVERED PERSON UPON THE COVERED
5 PERSON'S REQUEST.

6 **SECTION 3. Act subject to petition - effective date -**
7 **applicability.** (1) This act takes effect January 1, 2026; except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within the ninety-day period after final adjournment of the general
11 assembly, then the act, item, section, or part will not take effect unless
12 approved by the people at the general election to be held in November
13 2026 and, in such case, will take effect January 1, 2026, or on the date of
14 the official declaration of the vote thereon by the governor, whichever is
15 later.

16 (2) This act applies to conduct occurring on or after the applicable
17 effective date of this act.