

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

INTRODUCED

LLS NO. 25-0417.01 Chelsea Princell x4335

HOUSE BILL 25-1033

HOUSE SPONSORSHIP

Lieder,

SENATE SPONSORSHIP

(None),

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEDICAL ASSISTANCE THIRD-PARTY LIABILITY**
102 **PAYMENTS.**

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>.)

The bill requires third-party payers to reimburse the department of health care policy and financing (state department) for health-care items and services rendered to a medicaid member regardless of whether prior authorization was obtained.

The bill requires third-party payers to respond to the state department's inquiry regarding a claim for payment no later than 60 days

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.

after receiving the state department's inquiry. The third party must respond either by paying the claim or issuing a written denial of the claim to the state department.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-4-209, **amend**
3 (2)(b)(III), (2)(b)(IV) introductory portion, and (2)(b)(IV)(B); and **add**
4 (2)(b)(V) as follows:

5 **25.5-4-209. Payments by third parties - copayments by**
6 **members - review - appeal - children's waiting list reduction fund -**
7 **rules.** (2) (b) A third party, as a condition of doing business in the state,
8 shall:

9 (III) ~~Respond to any inquiry by the state~~ NO LATER THAN SIXTY
10 DAYS FOLLOWING THE RECEIPT OF AN INQUIRY BY THE STATE DEPARTMENT
11 regarding a claim for payment for any health-care item or service that is
12 submitted ~~not~~ NO later than three years after the date of the provision of
13 the health-care item or ~~service~~; and SERVICE, RESPOND BY EITHER PAYING
14 THE CLAIM OR ISSUING A WRITTEN DENIAL TO THE STATE DEPARTMENT;

15 (IV) Agree not to deny a claim submitted by the state
16 DEPARTMENT solely on the basis of the date of submission of the claim,
17 the type or format of the claim form, or a failure to present proper
18 documentation at the point of sale that is the basis of the claim, if:

19 (B) Any action by the state DEPARTMENT to enforce its rights with
20 respect to the claim is commenced within six years after the ~~state's~~ STATE
21 DEPARTMENT'S submission of the claim; AND

22 (V) ACCEPT THE STATE DEPARTMENT'S PAYMENT OF A CLAIM FOR
23 A HEALTH-CARE ITEM OR SERVICE TO BE THE EQUIVALENT OF THE
24 HEALTH-CARE PROVIDER OR THE MEMBER HAVING OBTAINED PRIOR

1 AUTHORIZATION FOR THE ITEM OR SERVICE FROM THE THIRD PARTY.

2 **SECTION 2. Safety clause.** The general assembly finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety or for appropriations for
5 the support and maintenance of the departments of the state and state
6 institutions.