

CHAPTER 240

INSURANCE

HOUSE BILL 97-1311

BY REPRESENTATIVES Kreutz, Epps, Kaufman, Keller, Lawrence, Leyba, Reeser, and Udall;
also SENATORS Hopper and Tanner.

AN ACT

CONCERNING COMPREHENSIVE HEALTH BENEFIT PLAN DESCRIPTION FORMS.

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

SECTION 1. 10-16-108.5, Colorado Revised Statutes, 1994 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

10-16-108.5. Fair marketing standards. (11) (a) EFFECTIVE JANUARY 1, 1998, ALL CARRIERS OFFERING OR PROVIDING HEALTH BENEFIT PLAN COVERAGE OR MEDICARE SUPPLEMENTAL COVERAGE SHALL MAKE AVAILABLE A COLORADO HEALTH BENEFIT PLAN DESCRIPTION FORM FOR EACH POLICY, CONTRACT, AND PLAN OF HEALTH BENEFITS THAT EITHER COVERS A COLORADO RESIDENT OR IS MARKETED TO A COLORADO RESIDENT OR SUCH RESIDENT'S EMPLOYER.

(b) THE FORMAT FOR AND ELEMENTS OF THE COLORADO HEALTH BENEFIT PLAN DESCRIPTION FORM SHALL BE DETERMINED BY RULE OF THE COMMISSIONER AFTER CONSULTATION WITH CONSUMER, PROVIDER, AND CARRIER REPRESENTATIVES. THE COMMISSIONER SHALL PROMULGATE SUCH RULE NO LATER THAN NOVEMBER 15, 1997.

(c) A COLORADO HEALTH BENEFIT PLAN DESCRIPTION FORM SHALL INCLUDE INFORMATION OF GENERAL INTEREST TO PURCHASERS OF HEALTH PLANS AND PERSONS INSURED UNDER HEALTH PLANS. SUCH FORM SHALL BE DESIGNED TO FACILITATE COMPARISON OF DIFFERENT HEALTH BENEFIT PLANS.

(d) A CARRIER SHALL PROVIDE A COMPLETED COLORADO HEALTH BENEFIT PLAN DESCRIPTION FORM FOR EACH OF ITS HEALTH BENEFIT PLANS:

(I) UPON REQUEST, TO ANY PERSON COVERED BY SUCH PLAN OR SUCH PERSON'S

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

EMPLOYER; AND

(II) AS PART OF ITS MARKETING MATERIALS, TO ANY PERSON OR EMPLOYER WHO MAY BE INTERESTED IN PURCHASING OR OBTAINING COVERAGE UNDER SUCH A PLAN. THIS REQUIREMENT SHALL INCLUDE THE PROVISION OF THE FORM BY THE CARRIER TO EVERY EMPLOYEE WHO HAS THE OPTION OF SELECTING SUCH A PLAN DURING AN EMPLOYER'S OPEN ENROLLMENT PERIOD.

SECTION 2. Effective date. This act shall take effect upon passage.

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, and safety.

Approved: June 3, 1997