

CHAPTER 46

INSURANCE

SENATE BILL 98-104

BY SENATORS Reeves, Feeley, Hernandez, Johnson, Martinez, Phillips, Rupert, and Weddig;
also REPRESENTATIVES Alexander and Epps.

AN ACT

CONCERNING A REQUIREMENT THAT MANAGED CARE PLANS PROVIDE PATIENTS WITH DIRECT ACCESS
TO THE SERVICES OF A CERTIFIED NURSE MIDWIFE.

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

SECTION 1. 10-16-107 (5) (a) and the introductory portion to 10-16-107 (5) (b) (I), Colorado Revised Statutes, are amended to read:

10-16-107. Rate regulation - approval of policy forms - benefit certificates - evidences of coverage - loss ratio guarantees - disclosures on treatment of intractable pain. (5) Effective January 31, 1997, a managed care plan that provides coverage for reproductive health or gynecological care shall not be issued or renewed unless such plan either:

(a) Provides a woman covered by the plan direct access to an obstetrician, ~~or~~ gynecologist, OR AN ADVANCED PRACTICE NURSE WHO IS A CERTIFIED NURSE MIDWIFE PURSUANT TO SECTION 12-38-111.5, C.R.S., participating and available under the plan for her reproductive health care or gynecological care; or

(b) (I) Subject to rules promulgated by the commissioner, has procedures in place that ensure that, if a woman covered by the plan requests a timely referral to an obstetrician, ~~or~~ gynecologist, OR AN ADVANCED PRACTICE NURSE WHO IS A CERTIFIED NURSE MIDWIFE PURSUANT TO SECTION 12-38-111.5, C.R.S., participating and available under the plan for her reproductive health and gynecological care, the request for referral shall not be unreasonably withheld. Such rules shall include, but need not be limited to, the following issues:

SECTION 2. Effective date - applicability. This act shall take effect January 1, 1999, and shall apply to policies issued and renewed on or after said date.

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

Approved: March 24, 1998