

CHAPTER 88

INSURANCE

SENATE BILL 00-138

BY SENATOR Sullivant;
also REPRESENTATIVES Dean, Hagedorn, and Swenson.

AN ACT

CONCERNING THE REQUIREMENT OF AN INSURER WITH A MANAGED CARE ARRANGEMENT UNDER MOTOR VEHICLE INSURANCE TO HAVE AN INTERNAL APPEAL PROCESS, AND, IN CONNECTION THEREWITH, NOTIFYING THE COVERED PERSON OF THE RIGHT TO APPEAL THE INTERNAL DECISION TO THE PERSONAL INJURY PROTECTION EXAMINATION PANEL.

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

SECTION 1. 10-4-706 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-4-706. Required coverages - complying policies - PIP examination program - repeal. (2) (j) (I) AN AUTOMOBILE INSURER PROVIDING BENEFITS PURSUANT TO THIS SECTION, SHALL FILE WITH THE COMMISSIONER THE INTERNAL GRIEVANCE AND REVIEW PROCEDURES UTILIZED BY THE INSURER'S MANAGED CARE ARRANGEMENT. THE COMMISSIONER SHALL MAKE SUCH FILING AVAILABLE FOR PUBLIC INSPECTION. ONCE ALL INTERNAL GRIEVANCE AND REVIEW PROCEDURES HAVE BEEN EXHAUSTED, THE INSURER SHALL PROVIDE WRITTEN NOTICE TO THE INSURED OF THE INSURED'S RIGHT TO SEEK AN INDEPENDENT MEDICAL EXAMINATION WITH THE COLORADO PIP IME PANEL.

(II) A MANAGED CARE ARRANGEMENT'S INTERNAL GRIEVANCE AND REVIEW PROCEDURES DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (j) MAY USE AS A GUIDELINE THE STANDARD ESTABLISHED BY ONE OF THE FOLLOWING NATIONALLY RECOGNIZED ACCREDITATION STANDARDS ORGANIZATIONS: THE AMERICAN ACCREDITATION HEALTHCARE COMMISSION, THE NATIONAL COMMITTEE FOR QUALITY ASSURANCE, OR THE JOINT COMMISSION ON ACCREDITATION HEALTHCARE ORGANIZATION.

SECTION 2. Effective date - applicability. This act shall take effect July 1,

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

2000, and shall apply to denials of coverage made on or after said date.

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 31, 2000