

## CHAPTER 156

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**CONSUMER AND COMMERCIAL TRANSACTIONS**

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**SENATE BILL 03-015**

BY SENATOR(S) Owen, Hanna, Hagedorn, Nichol, and Sandoval;  
also REPRESENTATIVE(S) Jahn, Tochtrop, Boyd, Coleman, Frangas, Madden, Romanoff, Spradley, Stafford, Veiga,  
Williams S., and Young.

**AN ACT****CONCERNING DISCLOSURE BY A HEALTH CARE PROVIDER TO THE NAMED INSURED OF THE ESTIMATED CHARGES FOR NONEMERGENCY PROCEDURES PRIOR TO THE SCHEDULING OF SUCH PROCEDURES.**

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

**SECTION 1. Legislative findings.** The general assembly hereby finds, determines, and declares that consumers of health care services are not adequately informed as to the costs associated with health care services and therefore frequently choose services that may not be the most cost-effective or efficacious, thus contributing to the growing cost of health care. Therefore, the general assembly declares that health care providers should inform consumers of health care of the estimated costs associated with nonemergency procedures in advance. Such disclosure will provide more autonomy to consumers of health care and may help contain the spiraling costs of such care.

**SECTION 2.** Title 6, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 20  
HOSPITAL DISCLOSURES TO CONSUMERS

**6-20-101. Provider disclosure of average charge.** (1) EACH HOSPITAL LICENSED OR CERTIFIED PURSUANT TO SECTION 25-1-107 (1) (I), C.R.S., SHALL DISCLOSE TO A PERSON SEEKING CARE OR TREATMENT HIS OR HER RIGHT TO RECEIVE NOTICE OF THE AVERAGE FACILITY CHARGE FOR SUCH TREATMENT THAT IS A FREQUENTLY PERFORMED INPATIENT PROCEDURE PRIOR TO ADMISSION FOR SUCH PROCEDURE; EXCEPT THAT CARE OR TREATMENT FOR AN EMERGENCY NEED NOT BE DISCLOSED PRIOR TO SUCH EMERGENCY CARE OR TREATMENT. WHEN REQUESTED,

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

THE AVERAGE CHARGE INFORMATION SHALL BE MADE AVAILABLE TO THE PERSON PRIOR TO ADMISSION FOR SUCH PROCEDURE.

(2) OTHER HEALTH FACILITIES LICENSED OR CERTIFIED PURSUANT TO SECTION 25-1-107(1)(1), C.R.S., SHALL DISCLOSE TO A PERSON SEEKING CARE OR TREATMENT HIS OR HER RIGHT TO RECEIVE NOTICE OF THE AVERAGE FACILITY CHARGE FOR SUCH TREATMENT THAT IS A FREQUENTLY PERFORMED PROCEDURE PRIOR TO ORDERING OR SCHEDULING SUCH PROCEDURE; EXCEPT THAT CARE OR TREATMENT FOR AN EMERGENCY NEED NOT BE DISCLOSED PRIOR TO SUCH EMERGENCY CARE OR TREATMENT. WHEN REQUESTED, SUCH AVERAGE CHARGE INFORMATION SHALL BE MADE AVAILABLE TO THE PERSON PRIOR TO THE SCHEDULING OF THE PROCEDURE.

**SECTION 3. Effective date - applicability.** This act shall take effect January 1, 2004.

**SECTION 4. 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: April 22, 2003