

## CHAPTER 214

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**INSURANCE**

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**HOUSE BILL 05-1312**

BY REPRESENTATIVE(S) Boyd, Borodkin, Green, Madden, Weissmann, Berens, Coleman, and Pommer;  
also SENATOR(S) Keller, Anderson, Evans, Fitz-Gerald, Groff, Hanna, Hillman, Isgar, Owen, Shaffer, Spence, Taylor, Teck,  
Tochtrop, Tupa, Wiens, and Williams.

**AN ACT****CONCERNING A UNIFORM SMALL GROUP HEALTH PLAN APPLICATION FORM.**

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

**SECTION 1.** 10-16-107.2 (2), Colorado Revised Statutes, is amended to read:

**10-16-107.2. Filing of health policies.** (2) (a) All sickness and accident insurers, health maintenance organizations, nonprofit hospital and health service corporations, and other entities providing health care coverage authorized by the commissioner to conduct business in Colorado shall also submit to the commissioner a list of any new policy form, application, endorsement, or rider at least thirty-one days before using such policy form, application, endorsement, or rider for any health coverage. Such listing shall also contain a certification by an officer of the organization that each new policy form, application, endorsement, or rider proposed to be used complies, to the best of the insurer's good faith knowledge and belief, with Colorado law. The necessary elements of the certification shall be determined by the commissioner.

(b) (I) THE COMMISSIONER SHALL DEVELOP A UNIFORM EMPLOYEE APPLICATION FORM FOR HEALTH COVERAGE AND SHALL REQUIRE ALL SMALL GROUP SICKNESS AND ACCIDENT INSURERS, HEALTH MAINTENANCE ORGANIZATIONS, NONPROFIT HOSPITAL AND HEALTH SERVICE CORPORATIONS, AND OTHER ENTITIES PROVIDING SMALL GROUP HEALTH CARE COVERAGE AUTHORIZED BY THE COMMISSIONER TO CONDUCT BUSINESS IN COLORADO TO EXCLUSIVELY USE SUCH UNIFORM EMPLOYEE APPLICATION FORM FOR THE CONDUCT OF BUSINESS IN THIS STATE. ON AND AFTER JANUARY 1, 2007, ALL SMALL GROUP SICKNESS AND ACCIDENT INSURERS, HEALTH MAINTENANCE ORGANIZATIONS, NONPROFIT HOSPITAL AND HEALTH SERVICE CORPORATIONS, AND OTHER ENTITIES THAT PROVIDE SMALL GROUP HEALTH CARE COVERAGE SHALL USE THE UNIFORM EMPLOYEE APPLICATION FORM FOR SMALL GROUP SICKNESS AND

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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.*

ACCIDENT HEALTH COVERAGE.

(II) THE DIVISION MAY PERMIT CARRIERS TO USE A MODIFIED ELECTRONIC VERSION OF THE UNIFORM APPLICATION FORM.

**SECTION 2. Effective date.** (1) This act shall take effect January 1, 2006.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.

Approved: June 1, 2005