

CHAPTER 262

INSURANCE

SENATE BILL 05-235

BY SENATOR(S) Veiga, Fitz-Gerald, Groff, Grossman, Hanna, Keller, Shaffer, Tochtrop, Tupa, Williams, and Windels;
also REPRESENTATIVE(S) Marshall, Boyd, Carroll M., Carroll T., Coleman, Frangas, Green, Madden, Merrifield, Plant, and
Todd.

AN ACT**CONCERNING THE PROVISION OF DOMESTIC PARTNER BENEFITS PURSUANT TO SMALL GROUP HEALTH INSURANCE PLANS.**

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

SECTION 1. 10-16-105 (7.2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-16-105. Small group sickness and accident insurance - guaranteed issue - mandated provisions for basic and standard health benefit plans - rules.

(7.2) The commissioner shall promulgate rules to implement a basic health benefit plan and a standard health benefit plan to be offered by each small employer carrier as a condition of transacting business in this state. The commissioner shall survey small group carriers to determine the range of health benefit plans available annually. The commissioner shall implement a basic plan that approximates the lowest level of coverage offered in small group health benefit plans and shall implement a standard plan that approximates the average level of coverage offered in small group health benefit plans. In determining such levels of coverage, the commissioner shall consider such factors as coinsurance, copayments, deductibles, out-of-pocket maximums, and covered benefits. The commissioner shall amend the rules to implement the basic and standard plans no more frequently than once every two years. Such rules shall be in conformity with the provisions of article 4 of title 24, C.R.S., and shall incorporate the following:

(c) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, A SMALL EMPLOYER CARRIER MAY OFFER AND A SMALL EMPLOYER MAY ACCEPT OR REJECT COVERAGE FOR EMPLOYEES' DOMESTIC PARTNERS AND THEIR DEPENDENTS UNDER A STANDARD OR BASIC HEALTH BENEFIT PLAN.

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 2. 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 2, 2005