

CHAPTER 160

INSURANCE

SENATE BILL 06-112

BY SENATOR(S) Teck, Isgar, Keller, Sandoval, and Williams;
also REPRESENTATIVE(S) Buescher, Berens, Carroll M., Coleman, Frangas, Madden, Paccione, Riesberg, and Solano.

AN ACT

CONCERNING A PROHIBITION ON INCREASES IN AN INSURED'S LIABILITY TO PAY FOR HEALTH CARE SERVICES DUE TO A CHANGE IN A PROVIDER'S NETWORK STATUS.

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

SECTION 1. 10-16-704 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-16-704. Network adequacy - rules. (2) (m) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON AND AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (m), FOR THE DURATION OF THE TERM OF A POLICY IN EFFECT WHEN THE INSURED PAYS THE AMOUNT CHARGED FOR A COVERED HEALTH CARE SERVICE AND SEEKS REIMBURSEMENT FROM A CARRIER FOR SUCH COVERED HEALTH CARE SERVICE, THE INSURED SHALL BE LIABLE FOR NO MORE THAN THE IN-NETWORK COPAYMENT, COINSURANCE, AND DEDUCTIBLE FOR SUCH SERVICE IF:

(I) THE INSURED SEEKS REIMBURSEMENT FROM THE CARRIER WITHIN TWELVE MONTHS AFTER THE PROVISION OF THE SERVICE;

(II) PREAUTHORIZATION IS NOT REQUIRED FOR THE PARTICULAR TYPE OF SERVICE PROVIDED; AND

(III) A CONTRACT BETWEEN THE PROVIDER AND THE CARRIER WAS IN PLACE WHEN THE SERVICE WAS PROVIDED.

SECTION 2. Effective date - applicability. (1) This act shall take effect September 1, 2006.

(2) However, if a referendum petition is filed against this act or an item, section,

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

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.

(3) The provisions of this act shall apply to policies offered or entered into on or after the applicable effective date of this act.

Approved: April 24, 2006