

CHAPTER 127

INSURANCE

SENATE BILL 08-110

BY SENATOR(S) Kester,
also REPRESENTATIVE(S) Looper, Carroll M., Garza-Hicks, and Kerr J.

AN ACT**CONCERNING TECHNICAL MODIFICATIONS TO STATUTORY PROVISIONS GOVERNING INSURANCE.**

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

SECTION 1. 10-4-625, Colorado Revised Statutes, is amended to read:

10-4-625. Premium payments. The commissioner shall issue rules establishing MONTHLY, quarterly, semiannual, and annual premium payments for persons who are required to purchase insurance under this part 6. An insurer providing a plan for payments on a basis that is more frequent than quarterly need not also provide a quarterly payment plan. An insurer's plan for payments may provide for payment of an advance deposit premium.

SECTION 2. 10-16-104 (6) (a), Colorado Revised Statutes, is amended to read:

10-16-104. Mandatory coverage provisions - definitions. (6) Dependent children. (a) No entity subject to the provisions of this article ~~article 8 of this title~~, or section 607 (1) of the federal "Employment Retirement Income Security Act of 1974", as amended, shall refuse to accept and honor an otherwise valid claim for a covered benefit ~~which~~ THAT is filed by either parent of a covered child, or by the state department of social services in the case of an assignment under section 26-13-106, C.R.S., who submits valid copies of medical bills. A claim submitted by a custodial parent who is not the insured under a policy issued by an entity subject to the provisions of this article ~~article 8 of this title~~, or section 607 (1) of the federal "Employment Retirement Income Security Act of 1974", as amended, shall be deemed a valid assignment of benefits for payment to the health care provider.

SECTION 3. The introductory portion to 10-16-105 (7.2), Colorado Revised Statutes, is amended to read:

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

10-16-105. Small group sickness and accident insurance - guaranteed issue - mandated provisions for basic health benefit plans - rules - benefit design advisory committee - repeal. (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 ANNUALLY 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. A basic health benefit plan may be based on the latest medical evidence. The commissioner shall implement a standard plan that approximates the average level of coverage offered in small group health benefit plans. In determining levels of coverage, the commissioner shall consider factors such as coinsurance, copayments, deductibles, out-of-pocket maximums, and covered benefits. The commissioner shall amend the rules AS NECESSARY to implement the basic and standard health benefit plans. ~~no more frequently than once every two years.~~ The rules shall be in conformity with article 4 of title 24, C.R.S., and shall incorporate the following standard health benefit plan design described in paragraph (a) of this subsection (7.2) and the various options for the basic health benefit plan design described in paragraph (b) of this subsection (7.2):

SECTION 4. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-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, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 10, 2008