

CHAPTER 198

INSURANCE

HOUSE BILL 08-1309

BY REPRESENTATIVE(S) Mitchell V. and Ferrandino, Buescher, Carroll T., Frangas, Kerr J., Labuda, Middleton, Rice, Roberts, Stafford, Stephens, Todd, Gagliardi, Green, Madden, Marshall, Massey, McGihon, Summers, and Swalm;
also SENATOR(S) Isgar, Boyd, Gibbs, Groff, Schwartz, Shaffer, and Tochtrop.

AN ACT

CONCERNING CONTINUATION OF THE ASSESSMENTS IMPOSED UPON HEALTH INSURANCE CARRIERS TO FUND THE COVERCOLORADO PROGRAM, AND, IN CONNECTION THEREWITH, ELIMINATING THE SUNSET OF THE ASSESSMENT AND CREATING A TASK FORCE TO DEVELOP A LONG-TERM FUNDING PLAN FOR THE PROGRAM.

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

SECTION 1. Repeal. 10-8-530 (1.5) (d) and (1.5) (h), Colorado Revised Statutes, are repealed as follows:

10-8-530. Funding of program. (1.5) (d) ~~The department of regulatory agencies in cooperation with the division of insurance shall conduct a review of the efficacy of the assessment pursuant to section 24-34-104, C.R.S. Such review shall be completed by October 15, 2007. The division of insurance shall make copies of the report available to every member of the general assembly.~~

(h) ~~This subsection (1.5) is repealed, effective July 1, 2008.~~

SECTION 2. Part 5 of article 8 of title 10, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

10-8-535. CoverColorado long-term funding task force - members - funding plan - repeal. (1) THERE IS HEREBY CREATED THE COVERCOLORADO LONG-TERM FUNDING TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK FORCE", TO DEVELOP A PLAN FOR THE LONG-TERM FUNDING OF THE PROGRAM TO ENSURE ITS FUTURE FINANCIAL HEALTH AND VIABILITY.

(2) THE TASK FORCE SHALL CONSIST OF ELEVEN MEMBERS AS FOLLOWS:

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

- (a) THE EXECUTIVE DIRECTOR OF THE PROGRAM;
- (b) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE;
- (c) THE STATE TREASURER OR THE STATE TREASURER'S DESIGNEE;
- (d) THREE MEMBERS OF THE BOARD, WHICH SHALL INCLUDE THE CHAIR OF THE BOARD, A CONSUMER REPRESENTATIVE DESIGNATED BY THE CHAIR OF THE BOARD, AND THE PHYSICIAN REPRESENTATIVE;
- (e) THE GOVERNOR SHALL APPOINT THREE MEMBERS AS FOLLOWS:
 - (I) ONE REPRESENTATIVE OF THE HOSPITAL INDUSTRY;
 - (II) ONE REPRESENTATIVE OF AN ORGANIZATION THAT REPRESENTS PRIVATE BUSINESS; AND
 - (III) ONE REPRESENTATIVE OF HEALTH PLANS;
- (f) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL JOINTLY APPOINT TWO MEMBERS AS FOLLOWS:
 - (I) ONE REPRESENTATIVE OF CARRIERS; AND
 - (II) ONE REPRESENTATIVE OF A COMMUNITY HEALTH FOUNDATION.
- (3) THE MEMBERS OF THE TASK FORCE SHALL BE APPOINTED AS SOON AS POSSIBLE BUT NO LATER THAN JULY 31, 2008. THE EXECUTIVE DIRECTOR OF THE PROGRAM SHALL SERVE AS THE CHAIR OF THE TASK FORCE. THE PROGRAM SHALL PROVIDE ADMINISTRATIVE AND CONSULTING STAFF TO ASSIST THE TASK FORCE.
- (4) THE TASK FORCE SHALL DEVELOP A PLAN FOR FUNDING THE PROGRAM OVER AT LEAST A TEN-YEAR PERIOD. IN DEVELOPING ITS PLAN, THE TASK FORCE SHALL CONSIDER AT LEAST THE FOLLOWING:
 - (a) THE ANTICIPATED ENROLLMENT GROWTH OF THE PROGRAM;
 - (b) THE LONG-TERM VIABILITY OF FUNDING THE PROGRAM USING THE FUNDING SOURCES SPECIFIED IN SECTION 10-8-530 (1);
 - (c) INCREASING THE PREMIUM TAX CREDIT FOR DONATIONS TO THE PROGRAM;
 - (d) REVISING THE METHODOLOGY, ADMINISTRATION, AND COLLECTION OF THE ASSESSMENT AUTHORIZED IN SECTION 10-8-530 (1.5), INCLUDING THE CREATION OF AN ALL-PAYER SYSTEM THAT WOULD FUND THE PROGRAM THROUGH AN ASSESSMENT ADDED TO THE RATES PAID FOR HEALTH CARE PROVIDED AT ALL REGULATED INPATIENT AND OUTPATIENT FACILITIES; AND
 - (e) REDUCING CLAIMS COSTS TO THE PROGRAM BY MODIFYING BENEFIT DESIGNS, IMPLEMENTING A FEE SCHEDULE FOR SERVICES FROM HEALTH CARE PROVIDERS,

IMPOSING AN ENROLLMENT LIMIT, OR OTHER COST-CONTAINMENT MEASURES.

(5) THE TASK FORCE SHALL SUBMIT ITS PLAN TO THE GENERAL ASSEMBLY BY MARCH 31, 2009.

(6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2009.

SECTION 3. Repeal. 24-34-104 (39) (b) (XIII), Colorado Revised Statutes, is repealed as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (39) (b) The following agencies, functions, or both, shall terminate on July 1, 2008:

~~(XIII) Review of the assessment imposed by section 10-8-530 (1.5), C.R.S., by the division of insurance in cooperation with the department of regulatory agencies;~~

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: May 1, 2008