

## CHAPTER 297

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**INSURANCE**


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**HOUSE BILL 10-1021**

BY REPRESENTATIVE(S) Frangas and McCann, Apuan, Casso, Court, Ferrandino, Fischer, Hullinghorst, Kagan, Kerr A., Labuda, McFadyen, Middleton, Scanlan, Schafer S., Solano, Soper, Todd, Tyler, Carroll T., Merrifield, Miklosi, Pace, Ryden; also SENATOR(S) Foster, Boyd, Bacon, Carroll M., Heath, Hodge, Hudak, Johnston, Keller, Morse, Newell, Shaffer B., Steadman, Gibbs, Romer, Tochtrop, Williams.

**AN ACT****CONCERNING REQUIRED COVERAGES FOR REPRODUCTIVE SERVICES FOR HEALTH INSURANCE POLICIES.**

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

**SECTION 1.** 10-16-104 (3) (a) (I), Colorado Revised Statutes, is amended to read:

**10-16-104. Mandatory coverage provisions - definitions.** (3) **Maternity coverage.** (a) (I) All group sickness and accident insurance policies providing coverage within the state and issued to an employer by an entity subject to ~~the provisions of part 2 of this article, and~~ all group health service contracts issued by an entity subject to ~~the provisions of part 3 or 4 of this article and issued to an employer,~~ ALL INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE POLICIES ISSUED BY AN ENTITY SUBJECT TO PART 2 OF THIS ARTICLE, AND ALL INDIVIDUAL HEALTH CARE OR INDEMNITY CONTRACTS ISSUED BY AN ENTITY SUBJECT TO PART 3 OR 4 OF THIS ARTICLE, EXCEPT SUPPLEMENTAL POLICIES COVERING A SPECIFIED DISEASE OR OTHER LIMITED BENEFIT, shall insure against the expense of normal pregnancy and childbirth or provide coverage for maternity care ~~therefor~~ AND PROVIDE COVERAGE FOR CONTRACEPTION in the same manner as any other sickness, injury, disease, or condition is otherwise covered under the policy or contract. INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE POLICIES OR CONTRACTS MAY EXCLUDE COVERAGE FOR PREGNANCY AND DELIVERY EXPENSES ON THE GROUNDS THAT PREGNANCY WAS A PREEXISTING CONDITION. THE EXCLUSION FOR THE PREGNANCY AS A PREEXISTING CONDITION UNDER THE POLICY OR CONTRACT SHALL NOT APPLY FOR ANY SUBSEQUENT PREGNANCIES. GROUP SICKNESS AND ACCIDENT INSURANCE policies or contracts shall not exclude coverage for pregnancy and delivery expenses on the

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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.*

grounds that pregnancy was a preexisting condition.

**SECTION 2. Act subject to petition - specified effective date - applicability.**

(1) This act shall take effect January 1, 2011; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November, 2010, and shall take effect on January 1, 2011, or on the date of the official declaration of the vote thereon by the governor, whichever is later.

(2) The provisions of this act shall apply to group and individual sickness and accident insurance policies issued or renewed on or after the applicable effective date of this act.

Approved: May 26, 2010