

TO: Connect for Health Colorado Policy Committee
FROM: Adela Flores-Brennan and Kyla Hoskins
RE: Legislative Oversight Committee bill ideas
DATE: September 16, 2015

The Colorado Health Benefit Exchange Legislative Oversight Committee (oversight committee) met on Friday, September 11, 2015 to discuss, among other things, bill ideas that the committee could put forward. Below is a list of the bill ideas the committee discussed and whether the concept was accepted to move forward to bill drafting.

Request 1 - Open Enrollment. (Introduced by Representative Landgraf) This bill would change the open enrollment period. Instead of a set period each year for all customers, there would be a rolling open enrollment that is based on a set criteria such as the birthday of the oldest person in the household on the insurance policy. Based on the discussion at committee, this change would likely require a waiver to the federally specified open enrollment period. The committee did approve this proposal to move forward. (Potentially affected: Connect for Health Colorado, DORA, HCPF, and OIT)

Request 2 - Eliminate/Alternatives to Employer Mandate. (Introduced by Senator Kefalas) This bill will require the state to request a waiver from the employer mandate and create an opt-in system for employers to allow employees to seek health insurance through the health insurance Marketplace using other means, such as a defined contribution to the exchange on behalf of an employee, who would then be able to select their own insurance plan on the Marketplace. The committee did approve this proposal to move forward. (Potentially affected: Connect for Health Colorado, DORA, HCPF, OIT,)

Request 3 - Align Income Eligibility. (Introduced by Senator Aguilar) This bill will seek to align income eligibility standards so that the Advanced Premium Tax Credits (which are based on projected annual income) and Medicaid (which is based on current monthly income) use the same way of measuring client income. The committee did approve this proposal to move forward. (Potentially affected: Connect for Health Colorado, DORA, HCPF, DHS, and OIT)

Request 4 - Privatize Certain Exchange Functions. (Introduced by Representative Sias) This bill will require the state to seek a waiver to privatize certain functions performed by the health insurance Marketplace such as enrollment or health navigators. The committee did approve this proposal to move forward. (Potentially affected: Connect for Health, DORA, HCPF, and OIT)

Request 5 – Broad Market Assessment Referred Measure. (Introduced by Senator Lundberg) This bill will require a referred measure to get a vote of the people to approve the broad market assessment (also known as the Special Fee Assessment). The premise is that the broad market assessment is a violation of TABOR and the State needs voter approval. The committee did not approve this idea to move forward.

Request 6 – Cost Sharing Memorial. (Introduced by Senator Kefalas) This would be a Memorial or resolution to Congress to expedite changes to cost sharing structures and other conflicting federal guidance impacting customers found to be simultaneously enrolled. The committee agreed to make this a letter from the committee rather than running it as a memorial or resolution.

Request 7 – Standard Electronic ID Cards. (Introduced by Senator Kefalas) This bill would require a standard electronic identification system for health insurance ID cards. This is a concept from 2008 legislation. A study was done and recommendations made to standardize all health insurance cards and make them electronically readable. The committee declined to accept this as a committee bill because it wasn't germane to the Marketplace.