

State Legislative Updates

Connect for Health Colorado Board Meeting – May 9th, 2022



Colorado Legislative Session Ends May 11th

ConnectforHealthCO.com



SB22-081

Title: Health Exchange Education Campaign Health-care Services

Sponsors: Sen. Smallwood and Sen. Donovan; Rep. Tipper and Rep. Will

Summary:

- The bill requires the Board of Connect for Health Colorado to design and implement an outreach and marketing campaign to educate consumers on how to attain and retain health care coverage based on their needs and financial circumstances
- The campaign must include efforts to improve health literacy, assist consumers who lose minimum essential coverage, and reduce the number of uninsured/eligible but not enrolled Coloradans
- The campaign must include information about eligibility and costs where practicable
- The campaign must assist Medicaid and CHP+ customers make the transition to Marketplace coverage at the end of the Public Health Emergency, where applicable
- The bill is funded by raising the amount of tax credits a health insurer can claim in exchange for donations given to the Exchange from 5 million to 10 million for 5 years

Board Position: Support

Next Steps: SB22-081

- The bill passed Senate Appropriations unanimously.
- The bill passed the Senate 33-2 with 28 bipartisan cosponsors.
- The bill passed House Public Health 9-2.
- As of 5/4, the bill awaits House Finance.
- Questions?

HB22-1269: Health care Cost Sharing Arrangements

- In March, the Board took a Support position.
- C4 Impacts: will be able to better assist customers choosing the right coverage for them, and better anticipation of Special Enrollment Periods.
- Passed the House 39-25
- Staff testified in support in Senate Business, Labor, and Technology Committee 5/2/22
- Please see presentation Appendix for summary of the bill as amended.
- Questions?

HB22-1289 “Cover all Coloradans”

- In April, the Board took a Monitor position.
- C4 Impacts: pregnancy Special Enrollment Period for uninsured starting 2024; expanded Medicaid and CHP+ eligibility starting 2025.
- Passed the House 40-24
- Passed Senate Health and Human Services Committee and referred to Senate Appropriations.



Appendix

HB22-1269: As Amended (additions in Bold)

- **Title:** Health-care Sharing Plan Reporting Requirements
- **Sponsors:** Rep. Susan Lontine, Sen. Chris Hansen
- **Summary:**
 - Starting October 2022, and all subsequent years, any person/entities/corporations that offers or intends to offer a non-QHP plan or health cost sharing arrangement must annually submit a report to the Division of Insurance with the following information:
 - # of participants in plan in Colorado
 - # of participants nationwide
 - Estimated # of participants expected in the next year in Colorado
 - The counties where the entity offers or intends to offer said plan
 - Total amount of \$ collected from participants and the % of fees, dues, and other payments that the entity retained
 - **Total dollar amount of claims received**
 - **Total dollar amount of claims approved and paid**
 - **Total dollar amount of claims approved but not yet paid by end of the year**
 - **Total # of claims denied, and % of claims denied**
 - **Any contracts the entity has entered with providers**
 - Total amount of \$ paid to providers or to reimburse for health-care services received
 - Copies of consumer-facing promotional materials
 - **The total number of producers (brokers) that assisted with enrolling Coloradans, copies of training materials provided to producers, and a detailed accounting of commissions paid to producers for marketing, promotion, or enrollment.**
 - ~~Entity's reserve balance~~
 - Contact information for an individual serving as the entity's contact person in this state, a list of the entity's officers and directors, and the person's organizational chart
 - Commissioner to compile a report of information and make it available on DOI's website. **Entities have a 30-day grace period for noncompliance, and an additional 30 days with daily fees before and a cease-and-desist is issued for noncompliance.**

HB22-1289 “Cover all Coloradans” Summary

- **Title**: Health Benefits for CO Children and Pregnant Persons
- **Sponsors**: Rep. McCluskie, Rep. Gonzales-Gutierrez, Sen. Moreno
- **Summary**:
 - **The bill creates a special enrollment period for pregnant persons. The enrollment must be retroactive to the 1st of the month in which the pregnancy was confirmed by a doctor, unless the customer specifically requests the 1st of the following month. A notice must be provided to the customer explaining the tax implications of retroactive enrollment.**
 - Implementation timeline: January 2024
 - Amended to clarify this SEP is only available to uninsured pregnant persons
 - **The bill allows undocumented pregnant persons and children who otherwise meet Medicaid and CHP+ eligibility criteria to be covered by Medicaid and CHP+.**
 - Health Insurance Affordability Enterprise plans must be \$0 premium and 94% AV (aligning statute with HIAE board decisions).
 - Increase Emergency Services cost-sharing benefit for HIAE customers, to the extent possible with available funding.
 - CDPHE to conduct a Healthy Survey for Birthing Parents.