

State Legislative Updates

2/28/22



General Session Updates

- Pace of session picking up now that SMART Act hearings are wrapped up in committee.
- Key Dates:
 - March 2nd: Final passage of Senate bills in the Senate and House bills in the House
 - March 28th: Budget long bill introduced in the House



Requirements for Board to Take Bill Positions

- 1. Connect for Health Colorado will not take a position on legislation unless the legislation will have a direct and significant impact on the continued operation of the Exchange.**
2. If a piece of legislation is anticipated to have a direct and significant impact on the continued operation of the Exchange, the Board may discuss whether a position and/or public testimony is warranted.
3. The CEO has the authority to communicate the potential impacts of the legislation to legislators, even if the board does not take a position on the legislation.
4. If it is determined appropriate for the Board to take a position on a piece of legislation, then the Board Chair, CEO or other Board designee will have the authority to represent the Board as required in working with legislators, administration officials, the Governor, as well as other parties through the legislative process.

Frequent Policy Questions

These were the questions the Board most frequently asked last year:

- What are the financial and operational considerations?
- How does this proposal meet or not meet Connect for Health Colorado's mission and strategic goals?
- What does this mean for rural communities?
- Are we gaining enrollments on Exchange with this bill?

We will do our best to answer these questions as we present bills for your consideration.

SB22-081: As Introduced

Title: Health Exchange Education Campaign Health-care Services

Sponsors: Sen. Smallwood

Summary:

- The bill requires the Board of Connect for Health Colorado to design and implement an outreach and marketing campaign for on-Exchange enrollments, off-Exchange enrollments, the small group market, and Medicaid enrollments
- The campaign must include information about benefit design, out of pocket costs, eligibility, and financial aid.
- The initiative is funded by re-instating a special fee assessed against health insurers.
- The bill also raises the amount of tax credits a health insurer can claim in exchange for donations given to the Exchange from 5 million to 10 million.

Board Position 2/14/22: SB22-081

Position taken 2/14: Amending

Staff recommends the Board take an Amending position and testify in support of the anticipated strike below amendment in the first committee. This is contingent on an amendment that removes the issuer fee and creates flexibility for C4HCO to implement a marketing campaign that aligns with its goal to improve the ability of customers to attain and retain coverage based on their health care needs and circumstances.

SB22-081: Senate State Affairs and Finance Committees

- Kevin Patterson testified 2/17 at Senate State Affairs to communicate the Board's Amending position
- Senator Smallwood brought forward the following amendments, which brought the Board into a Support position:
 - Struck the issuer fee, leaving the increased issuer donation as the funding mechanism
 - Focused the nature of the outreach campaign to our Strategic Goal #3 language: attaining and retaining health coverage for someone's needs and circumstances
 - Focused the Medicaid and CHP+ campaign to end of the Public Health Emergency to help those Coloradans transition to Marketplace coverage, when applicable
- Senator Donovan will be added during Senate floorwork as a co-prime sponsor
- **The bill passed both Senate State Affairs and Senate Finance unanimously.**

SB22-081: Newest Iteration

Title: Health Exchange Education Campaign Health-care Services

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

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

FAQ: SB22-081 as it Stands

- **What are the financial and operational considerations?**
 - Aligning this campaign with C4's objective to educate and empower customers to choose the right plan for their unique circumstances, so they can access the health care they need, would leverage C4's strengths and achieve the bill's goal of educating consumers about their options.
 - This will require shifting our internal infrastructure to accommodate a larger marketing and outreach campaign.
- **What does this mean for rural communities?**
 - More marketing and outreach dollars to reach rural eligible but not enrolled populations.
- **Are we gaining enrollments on Exchange with this bill?**
 - More marketing and outreach dollars to reach eligible but not enrolled populations statewide should result in increased enrollment in the correct coverage option for the customer.
- **How does this proposal meet or not meet Connect for Health Colorado's mission and strategic goals?**
 - Our mission is to increase access, affordability, and choice for individuals and small employers purchasing health insurance in Colorado. This will expand C4's reach to more prospective customers, especially financial assistance eligible but not enrolled customers, and aligns with Strategic Goal #3 to get customers to attain and retain the right health coverage for their circumstances.

SB22-081 and C4's Strategic Plan

- **Goal #1: Improve access to coverage to increase enrollments in rural areas of Colorado.**
 - More marketing and outreach dollars to reach rural eligible but not enrolled populations.
- **Goal #2: Maximize the number of consumers who shop and enroll through the health insurance marketplace and apply for available financial assistance.**
 - Increase awareness of Exchange options and eligibility for financial assistance.
- **Goal #3: Improve the ability of customers to attain and retain coverage based on their health care needs and circumstances.**
 - Coloradans will be better educated as to their plan choices, out of pocket costs, and eligibility for financial assistance- including individuals transitioning from Medicaid to Marketplace or who may lose employer sponsored coverage.

Marketing and Outreach Possibilities with Additional Funding

Some ideas, not an exhaustive list:

- Expand family glitch outreach
- Expand small business outreach
- Expand marketing to other languages not just Spanish and English
- More rural outreach and education
- Year-round marketing, including for qualifying life changing events
- Better support for Medicaid to Marketplace bridge at end of Public Health Emergency
- Better support for people coming off employer sponsored insurance
- Developing expertise and training on health reimbursement arrangements
- Expanding Assister network

Next Steps and Questions: SB22- 081

- The bill's next journey will be to Senate Appropriations.
- Questions?