

State Legislative Updates

3/28/22



SB22-081: Current 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

Board Position: Support

Next Steps and Questions: SB22- 081

- The bill has been referred to Senate Appropriations.
- If passed, Senator Donovan will be added during Senate floorwork as a co-prime sponsor.
- Rep. Kerry Tipper (D-Lakewood) and Rep. Perry Will (R-New Castle) added as House sponsors.
- Questions?

HB22-1269: Support

- **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
 - Total amount of \$ collected from participants and the % of fees, dues, and other payments that the entity retained
 - Total amount of \$ paid to providers or to reimburse for health-care services received
 - Estimated # of participants expected in the next year
 - The counties where the entity offers or intends to offer said plan
 - Other states where the entity offers or intends to offer said plan
 - A list of third parties associated with, offering, or enrolling participants in a plan and a detailed accounting of commissions paid to a third party for services provided in promoted or administering the plan
 - 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, make it available on website, and can issue a cease-and-desist order for noncompliance.

Next Steps for HB22-1269

- Calendared for April 1 upon adjournment in House Health and Insurance
- Monica VanBuskirk will be testifying on operational impacts and customer confusion these non-QHPs cause.

HB22-1289 “Cover all Coloradans”: Bill for Consideration

- **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**
 - 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.
 - Potential provision of breastfeeding supplies under Medicaid.

FAQ: HB22-1289/Cover all Coloradans

- **What are the financial and operational considerations?**

- Large effort to create retroactive enrollment for pregnancy SEP and associated noticing
 - Estimated number of Product Development hours: 900
- Low expected volume for pregnancy SEP
 - In 2020, there were about 1200 uninsured births in Colorado
 - Maryland offers a pregnancy SEP and according to their [2022 Legislative report](#), accounted for less than 1% of total SEP enrollments
- Changes to Medicaid and CHP+ eligibility will require us to update our application logic
 - Estimated number of Product Development hours: 200
- Total estimated fiscal impact to Connect for Health: \$104,500
 - Broader fiscal note not yet published

- **What does this mean for rural communities?**

- Pregnancy special enrollment period will increase access to health coverage in all areas of the state for pregnant persons. Rural Coloradans are more likely to be uninsured compared to urban counterparts.

FAQ: HB22-1289/Cover all Coloradans

- **Are we gaining enrollments on Exchange with this bill?**
 - Yes, a pregnancy SEP would result in a slight enrollment increase.
- **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 access to health coverage for pregnant Coloradans.

HB22-1289/Cover all Coloradans and C4's Strategic Goals

- **Goal #1: Improve access to coverage to increase enrollments in rural areas of Colorado.**
 - Pregnancy special enrollment period will increase access to health coverage for pregnant persons in all areas of the state. Rural Coloradans are more likely to be uninsured compared to urban counterparts.
- **Goal #2: Maximize the number of consumers who shop and enroll through the health insurance marketplace and apply for available financial assistance.**
 - Pregnancy special enrollment period will slightly increase enrollment.
- **Goal #3: Improve the ability of customers to attain and retain coverage based on their health care needs and circumstances.**
 - Increases ability of pregnant customers to attain and retain coverage based on their health care circumstance.

Questions: Cover all Coloradans

- What questions do you have?
- What do you need us to evaluate?