

State Legislative Updates

Connect for Health Colorado Board Meeting – April 11, 2022



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 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: Health care Cost Sharing Arrangements

- In March, the Board took a Support position.
- 4/1/22 C4 staff testified in support.
- Several amendments adopted in committee, including the amendment brought by the Colorado State Association of Health Underwriters, striking the requirement for cost sharing arrangements to list which brokers they work with. Instead, the total number of brokers per arrangement, and training materials provided to those brokers, will be reported.
- Full summary of bill changes available in the slides' Appendix.
- The bill now goes to House Appropriations.

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

- **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.

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

- **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.

Where 1289 Stands

- The bill passed out of the House Public and Behavioral Health Committee 3/25.
- The bill is referred to House Appropriations.

Staff Recommendation: Monitor

Connect for Health Staff recommends a Monitor position for the Board. While there are aspects of HB22-1289 that directly affect Connect for Health and its customers, it is broad bill with several other provisions. Staff will continue to monitor amendments and operational impacts as it moves through the process.



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.**