

HB1245\_L.006

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health, Insurance & Environment.

HB13-1245 be amended as follows:

1 Amend printed bill, page 2, after line 1 insert:

2 "SECTION 1. In Colorado Revised Statutes, 10-22-103, **amend**  
3 (5) and **add** (6), (7), (8), (9) (10), and (11) as follows:

4 **10-22-103. Definitions.** As used in this article, unless the context  
5 otherwise requires:

6 (5) ~~"Secretary" means the secretary of the United States~~  
7 ~~department of health and human services.~~ "GROUP HEALTH PLAN" HAS  
8 THE SAME MEANING AS SET FORTH IN SECTION 10-16-105.5 (1) (a).

9 (6) "HEALTH BENEFIT PLAN" HAS THE SAME MEANING SET FORTH  
10 IN SECTION 10-16-102 (21).

11 (7) "INSURER" MEANS ANY ENTITY THAT PROVIDES GROUP OR  
12 INDIVIDUAL HEALTH BENEFIT PLANS SUBJECT TO INSURANCE REGULATION  
13 IN THIS STATE, AS WELL AS ANY ENTITY THAT DIRECTLY OR INDIRECTLY  
14 PROVIDES STOP-LOSS OR EXCESS LOSS INSURANCE TO A SELF-INSURED  
15 GROUP HEALTH PLAN INCLUDING A PROPERTY AND CASUALTY INSURANCE  
16 COMPANY.

17 (8) "MEDICAID" MEANS FEDERAL INSURANCE OR ASSISTANCE AS  
18 PROVIDED BY TITLE XIX OF THE FEDERAL "SOCIAL SECURITY ACT", AS  
19 AMENDED.

20 (9) "MEDICARE" MEANS FEDERAL INSURANCE OR ASSISTANCE AS  
21 PROVIDED BY TITLE XVIII OF THE FEDERAL "SOCIAL SECURITY ACT", AS  
22 AMENDED.

23 (10) "NUMBER OF LIVES INSURED" MEANS ON MARCH 1 OF THE  
24 PREVIOUS CALENDAR YEAR FOR WHICH A SPECIAL FEE IS BEING ASSESSED,  
25 THE NUMBER OF EMPLOYEES AND RETIRED EMPLOYEES OF INDIVIDUAL  
26 POLICYHOLDERS OR SUBSCRIBERS. FOR INSURERS PROVIDING STOP-LOSS,  
27 EXCESS LOSS, OR REINSURANCE, THE "NUMBER OF LIVES INSURED" DOES  
28 NOT INCLUDE EMPLOYEES, RETIRED EMPLOYEES, OR INDIVIDUAL  
29 POLICYHOLDERS OR SUBSCRIBERS WHO HAVE BEEN COUNTED BY THE  
30 PRIMARY INSURER OR PRIMARY REINSURER.

31 (11) "SECRETARY" MEANS THE SECRETARY OF THE UNITED STATES  
32 DEPARTMENT OF HEALTH AND HUMAN SERVICES."

33 Renumber succeeding sections accordingly.

34 Page 2, line 13, before "banking" insert "ACCOUNT OF THE".



- 1 Page 2, line 14, strike "corporation. and compliant with the" and  
2 substitute "corporation and compliant with the".
- 3 Page 2, strike line 15 and substitute "Association "Public Deposit  
4 Protection Act", article 47 10.5 of title 11, C.R.S."
- 5 Page 2, line 16, after "10-22-109" insert "and 10-22-110".
- 6 Page 2, line 23, strike "CARRIERS" and substitute "INSURERS".
- 7 Page 3, line 9, strike "CARRIERS" and substitute "INSURERS".
- 8 Page 3, line 15, strike "HEALTH BENEFIT PLAN" and substitute "NUMBER  
9 OF LIVES INSURED".
- 10 Page 3, line 16, strike "PER POLICY PER MONTH AGAINST" and substitute  
11 "IN".
- 12 Page 3, line 20, after the period add "ANY MONEY RECEIVED FROM THE  
13 RESERVES OF COVERCOLORADO, AS CREATED BY PART 5 OF ARTICLE 8 OF  
14 TITLE 10, WILL BE USED TO OFFSET THE AMOUNT OF THE FEES ASSESSED  
15 AGAINST CARRIERS PURSUANT TO THIS SUBSECTION (2)".
- 16 Page 3, strike lines 21 through 25 and substitute:
- 17 "(b) NONCOMPLIANCE WITH THIS SECTION MAY RESULT, AFTER  
18 PROPER NOTICE AND HEARING, IN THE SUSPENSION OR REVOCATION OF THE  
19 CERTIFICATE OF AUTHORITY TO TRANSACT INSURANCE BUSINESS IN THIS  
20 STATE OF ANY INSURER THAT FAILS TO PAY THE SPECIAL ASSESSMENT  
21 FEE."
- 22 Page 4, line 4, strike "CARRIERS," and substitute "INSURERS,".
- 23 Page 4, line 6, strike "CARRIER" and substitute "INSURER".
- 24 Page 4, line 11, after the period add "THE COMMISSIONER SHALL  
25 ALLOCATE NO MORE THAN FIVE MILLION DOLLARS OF PREMIUM TAX  
26 CREDITS PER YEAR."
- 27 Page 5, after line 20 insert:



1           **"10-22-110. Tax exemption.** THE EXCHANGE IS EXEMPT FROM  
2    ANY TAX LEVIED BY THIS STATE OR ANY OF ITS POLITICAL SUBDIVISIONS."

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