

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0111.01 Renee Leone x2695

HOUSE BILL 26-1019

HOUSE SPONSORSHIP

Lieder and Bacon,

SENATE SPONSORSHIP

Roberts,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MANDATORY HEALTH-CARE COVERAGE FOR PREVENTIVE**

102 **KIDNEY FUNCTION SCREENING SERVICES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill adds kidney function screening services as preventive health-care services for which insurance policies or contracts in the state must provide total-cost coverage. Coverage for kidney function screening services will be implemented for all large employer health benefit policies or contracts issued or renewed in this state after January 1, 2027, and all individual and small group health benefit plans issued or renewed in this

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

state on or after January 1, 2028, as long as the state is not required to defray the cost of the coverage of the kidney function screening services.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 10-16-104, **amend**
3 (18)(a)(I) introductory portion; and **add** (18)(b.8) as follows:

4 **10-16-104. Mandatory coverage provisions - applicability -**
5 **rules - legislative declaration - definitions.**

6 **(18) Prevention health-care services - legislative declaration**
7 **- rules - definitions.**

8 (a) (I) The following policies and contracts that are issued or
9 renewed in this state must provide coverage for the total cost of the
10 preventive health-care services specified in subsections (18)(b), (18)(b.3),
11 **and** (18)(b.7), **AND** (18)(b.8) of this section:

12 (b.8) (I) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

13 (A) CHRONIC KIDNEY DISEASE AND END-STAGE RENAL DISEASE
14 IMPOSE A SEVERE HEALTH AND FINANCIAL BURDEN ON COLORADO
15 RESIDENTS. IN 2021, OVER EIGHT THOUSAND COLORADO RESIDENTS WERE
16 BEING TREATED FOR END-STAGE RENAL DISEASE, WITH FOUR THOUSAND
17 NINE HUNDRED NINETY-FOUR OF THOSE RESIDENTS DEPENDING ON
18 DIALYSIS TO STAY ALIVE. THE ANNUAL INSURANCE COSTS FOR CHRONIC
19 KIDNEY DISEASE IN COLORADO HAVE REACHED FOUR HUNDRED
20 FIFTY-SEVEN MILLION DOLLARS WITH PATIENTS PAYING NEARLY
21 FIFTY-EIGHT MILLION DOLLARS OUT-OF-POCKET. ACCORDING TO THE
22 CENTERS FOR DISEASE CONTROL AND PREVENTION IN THE FEDERAL
23 DEPARTMENT OF HEALTH AND HUMAN SERVICES, ONE OUT OF EVERY
24 SEVEN AMERICANS HAS CHRONIC KIDNEY DISEASE, AND UP TO NINETY
25 PERCENT OF THOSE INDIVIDUALS DO NOT KNOW THAT THEY HAVE IT. THE

1 NUMBER OF INDIVIDUALS WHO HAVE CHRONIC KIDNEY DISEASE IS
2 DISPROPORTIONATELY HIGHER IN MINORITY COMMUNITIES.

3 (B) EARLY SCREENING FOR CHRONIC KIDNEY DISEASE IS ESSENTIAL
4 BUT CURRENTLY UNDERUTILIZED IN COLORADO. AMONG THE EIGHT
5 HUNDRED THOUSAND TWO HUNDRED SIX COLORADANS WHO HAVE
6 HYPERTENSION, DIABETES, OR BOTH HYPERTENSION AND DIABETES, AN
7 ESTIMATED ONE HUNDRED FORTY-FOUR THOUSAND TWO HUNDRED
8 SEVENTEEN INDIVIDUALS LIKELY HAVE ADVANCED, STAGES FOUR OR FIVE,
9 CHRONIC KIDNEY DISEASE BUT MANY REMAIN UNDIAGNOSED DUE TO
10 INADEQUATE SCREENING. SCREENING IS CRITICAL BECAUSE IT ALLOWS FOR
11 EARLIER DIAGNOSIS AND CHEAPER INTERVENTIONS, WHICH PREVENT THE
12 SIGNIFICANT RISE IN COST AND STRAIN ON THE HEALTH-CARE SYSTEM
13 THAT OCCURS WHEN CHRONIC KIDNEY DISEASE IS DIAGNOSED LATE AND,
14 AS A RESULT, IS OFTEN MORE ADVANCED.

15 (C) EARLY DETECTION THROUGH SCREENING IS COST-EFFECTIVE
16 AND PREVENTS DISEASE PROGRESSION. EACH COMPREHENSIVE KIDNEY
17 FUNCTION SCREENING TEST INCLUDES SERUM CREATININE, ESTIMATED
18 GLOMERULAR FILTRATION RATE, AND URINE ALBUMIN-CREATININE
19 TESTING. THIS MODEST INVESTMENT IN PREVENTIVE CARE CAN IDENTIFY
20 DISEASE AT EARLIER AND MORE TREATABLE STAGES.

21 (D) WITHOUT EARLY DETECTION, THE FINANCIAL BURDEN OF
22 CHRONIC KIDNEY DISEASE ESCALATES DRAMATICALLY AS THE CONDITION
23 PROGRESSES. PATIENT OUT-OF-POCKET EXPENSES RISE FROM AN AVERAGE
24 OF TWO HUNDRED EIGHT DOLLARS ANNUALLY FOR STAGE ONE CHRONIC
25 KIDNEY DISEASE TO TEN THOUSAND ONE HUNDRED EIGHTY-THREE
26 DOLLARS FOR END-STAGE RENAL DISEASE.

27 (E) THE KIDNEY DISEASE PREVENTION AND EDUCATION TASK

1 FORCE, ESTABLISHED PURSUANT TO HOUSE BILL 21-1171, ENACTED IN
2 2021, CONDUCTED A COMPREHENSIVE STUDY AND IDENTIFIED EARLY
3 DETECTION THROUGH ACCESSIBLE SCREENING AS CRITICAL TO REDUCING
4 BOTH HEALTH COMPLICATIONS AND THE FINANCIAL STRAIN OF KIDNEY
5 DISEASE ON COLORADO RESIDENTS AND THE COLORADO HEALTH-CARE
6 SYSTEM.

7 (II) THE GENERAL ASSEMBLY FURTHER DECLares THAT THE
8 PURPOSE OF THIS SUBSECTION (18)(b.8) IS TO:

9 (A) IMPLEMENT THE RECOMMENDATIONS OF THE KIDNEY DISEASE
10 PREVENTION AND EDUCATION TASK FORCE BY REQUIRING HEALTH
11 INSURANCE COVERAGE FOR ANNUAL PREVENTIVE KIDNEY FUNCTION
12 SCREENING SERVICES WITHOUT COST-SHARING REQUIREMENTS;

13 (B) REMOVE FINANCIAL BARRIERS THAT CURRENTLY PREVENT
14 EARLY DIAGNOSIS OF CHRONIC KIDNEY DISEASE, PARTICULARLY AMONG
15 HIGH-RISK POPULATIONS WITH HYPERTENSION OR DIABETES;

16 (C) ENABLE TIMELY MEDICAL INTERVENTION BEFORE KIDNEY
17 DISEASE PROGRESSES TO COSTLY ADVANCED STAGES THAT REQUIRE
18 DIALYSIS OR KIDNEY TRANSPLANTATION;

19 (D) REDUCE THE OVERALL FINANCIAL BURDEN OF KIDNEY DISEASE
20 ON COLORADO PATIENTS, INSURANCE PLANS, AND STATE HEALTH-CARE
21 PROGRAMS THROUGH COST-EFFECTIVE PREVENTIVE CARE; AND

22 (E) IMPROVE HEALTH OUTCOMES FOR COLORADO RESIDENTS BY
23 FACILITATING EARLIER DETECTION AND TREATMENT OF CHRONIC KIDNEY
24 DISEASE.

25 (III) THE COVERAGE REQUIRED BY THIS SUBSECTION (18) MUST
26 INCLUDE ANNUAL KIDNEY FUNCTION SCREENING SERVICES DESIGNED TO
27 IDENTIFY PATIENTS AT RISK FOR CHRONIC KIDNEY DISEASE, INCLUDING

1 GLOMERULAR FILTRATION RATE, OR "GFR", TESTING, BASIC METABOLIC
2 PANEL, OR "BMP", TESTING, AND URINE TESTING FOR SCREENING ALBUMIN
3 AND CREATININE LEVELS.

4 (IV) EXCEPT AS PROVIDED IN SUBSECTION (18)(b.8)(VI) OF THIS
5 SECTION, AND TO THE EXTENT THAT SUCH COVERAGE IS NOT IN ADDITION
6 TO BENEFITS PROVIDED PURSUANT TO THE STATE BENCHMARK PLAN
7 REQUIRED PURSUANT TO 45 CFR 156.111, ALL LARGE EMPLOYER HEALTH
8 BENEFIT PLANS ISSUED OR RENEWED IN THIS STATE ON OR AFTER JANUARY
9 1, 2027, SHALL PROVIDE COVERAGE FOR KIDNEY FUNCTION SCREENING
10 SERVICES.

11 (V) EXCEPT AS PROVIDED IN SUBSECTION (18)(b.8)(VI) OF THIS
12 SECTION, AND TO THE EXTENT THAT SUCH COVERAGE IS NOT IN ADDITION
13 TO BENEFITS PROVIDED PURSUANT TO THE STATE BENCHMARK PLAN
14 REQUIRED PURSUANT TO 45 CFR 156.111, ALL INDIVIDUAL AND SMALL
15 GROUP HEALTH BENEFIT PLANS ISSUED OR RENEWED IN THIS STATE ON OR
16 AFTER JANUARY 1, 2028, SHALL PROVIDE COVERAGE FOR KIDNEY
17 FUNCTION SCREENING SERVICES.

18 (VI) THIS SUBSECTION (18)(b.8) IS INOPERATIVE AND THE STATE
19 SHALL NOT ASSUME AN OBLIGATION FOR THE COVERAGE REQUIRED
20 PURSUANT TO THIS SUBSECTION (18)(b.8) IF THE DIVISION DETERMINES
21 THAT THE BENEFIT SPECIFIED IN THIS SUBSECTION (18)(b.8) REQUIRES
22 STATE DEFRAYAL OF THE COST OF COVERAGE PURSUANT TO A PROVISION
23 OF THE FEDERAL ACT, INCLUDING 42 U.S.C. SEC. 18031 (d)(3)(B) OR A
24 SUCCESSOR PROVISION, AND THE IMPLEMENTING REGULATIONS OR THE
25 STATE IS OTHERWISE REQUIRED TO DEFRAY THE COST OF COVERAGE
26 REQUIRED PURSUANT TO THIS SUBSECTION (18)(b.8).

27 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2026 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.