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SENATE BILL 25-196

BY SENATOR(S) Jodeh and Mullica, Amabile, Ball, Bridges, Daugherty, Exum, Gonzales J., Hinrichsen, Kipp, Kolker, Marchman, Michaelson Jenet, Roberts, Rodriguez, Snyder, Wallace, Weissman, Winter F., Coleman;

also REPRESENTATIVE(S) Lieder and Jackson, Bacon, Bird, Boesenecker, Brown, Clifford, Duran, Garcia, Hamrick, Joseph, Lindsay, Mabrey, McCormick, Paschal, Ricks, Rutinel, Rydin, Stewart K., Story, Titone.

CONCERNING MEASURES TO PROTECT INSURANCE COVERAGE FOR
PREVENTIVE HEALTH-CARE SERVICES.

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

SECTION 1. In Colorado Revised Statutes, 10-16-104, **amend** (18)(b) introductory portion and (18)(f); and **add** (18)(g) as follows:

10-16-104. Mandatory coverage provisions - definitions - rules - applicability. (18) **Prevention health-care services - rules - definitions.** (b) The coverage required by this subsection (18) must include coverage for the ~~following~~ preventive health-care services LISTED IN SUBSECTIONS (18)(b)(I) TO (18)(b)(XI) OF THIS SECTION in accordance with the A or B

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

recommendations of the task force, recommendations established by the ACIP, or preventive care and screening as provided for in the comprehensive guidelines. ~~as applicable~~ IF THE A OR B RECOMMENDATIONS OF THE TASK FORCE, THE ACIP, OR THE COMPREHENSIVE GUIDELINES ARE REPEALED, MODIFIED, OR OTHERWISE NO LONGER IN EFFECT, THE COMMISSIONER MAY ADOPT RULES TO REQUIRE COMPLIANCE WITH THE GUIDELINES OR RECOMMENDATIONS THAT WERE IN EFFECT IN JANUARY 2025, OR THAT COMPLY WITH THE RECOMMENDATIONS OF THE NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE CREATED IN SECTION 12-30-105 AND DEVELOPED IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN SECTION 12-30-105 (5), THAT APPLY TO COVERAGE OF THE FOLLOWING PREVENTIVE HEALTH-CARE SERVICES:

(f) The commissioner may ~~promulgate~~ ADOPT rules as necessary to implement AND ENFORCE this subsection (18), INCLUDING RULES THAT REQUIRE COVERAGE OF ADDITIONAL PREVENTIVE HEALTH-CARE SERVICES NOT LISTED IN SUBSECTIONS (18)(b)(I) TO (18)(b)(XI) OF THIS SECTION AS RECOMMENDED BY THE TASK FORCE, ACIP, COMPREHENSIVE GUIDELINES, OR NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE.

(g) A HEALTH INSURANCE POLICY THAT QUALIFIES FOR A HEALTH SAVINGS ACCOUNT PURSUANT TO 26 U.S.C. SEC. 223 IS EXEMPT FROM SUBSECTIONS (18)(b) AND (18)(f) OF THIS SECTION TO THE EXTENT THE EXEMPTION IS NECESSARY TO ALLOW THE POLICY TO QUALIFY FOR A HEALTH SAVINGS ACCOUNT PURSUANT TO THE REQUIREMENTS IN THE FEDERAL LAW.

SECTION 2. In Colorado Revised Statutes, 12-30-105, **add** (5)(o) as follows:

12-30-105. Nurse-physician advisory task force for Colorado health care - creation - duties - definition - repeal. (5) The NPATCH shall prioritize consideration of and make recommendations on the following topics:

(o) UPDATES OR MODIFICATIONS, AS NECESSARY, TO PREVENTIVE HEALTH-CARE SERVICES SET FORTH IN SECTION 10-16-104 (18)(b). IN RECOMMENDING THE UPDATES AND MODIFICATIONS, THE NPATCH MUST:

(I) CONSULT WITH THE NATIONAL CLINICAL SOCIETY FOR THE RELEVANT DISEASE STATE OR POPULATION, IF ONE EXISTS; AND

(II) PROVIDE OPPORTUNITIES FOR EXPERTS IN THE RELEVANT DISEASE STATE OR POPULATION AT ISSUE, IF ANY EXIST; RELEVANT PATIENT GROUPS, IF ANY EXIST, REPRESENTING THE RELEVANT DISEASE STATE OR POPULATION AT ISSUE; AND INSURERS OFFERING COMMERCIAL COVERAGE IN THE STATE TO PROVIDE INPUT ON THE EVIDENCE AND RECOMMENDATIONS AT THE NPATCH MEETINGS.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO