

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

\_\_\_\_\_  
Date

February 9, 2022

Committee on Health & Insurance.

After consideration on the merits, the Committee recommends the following:

HB22-1008 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike lines 6 through 17 and substitute  
2 "**services.** (f) (I) ~~Within one hundred twenty days after April 1, 2020, the~~  
3 ~~division shall submit to the federal department of health and human~~  
4 ~~services its determination as to whether the coverage specified in this~~  
5 ~~subsection (23) is in addition to essential health benefits and would be~~  
6 ~~subject to defrayal by the state pursuant to 42 U.S.C. sec. 18031 (d)(3)(B)~~  
7 ~~and a request that the federal department confirm the division's~~  
8 ~~determination within sixty days after receipt of the division's request and~~  
9 ~~submission of its determination~~ THIS SUBSECTION (23) APPLIES TO, AND  
10 THE DIVISION SHALL IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION  
11 (23) FOR, LARGE EMPLOYER HEALTH BENEFIT PLANS ISSUED OR RENEWED  
12 IN THIS STATE ON OR AFTER JANUARY 1, 2023.

13 (II) This subsection (23) applies to, AND THE DIVISION SHALL  
14 IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION (23) FOR,  
15 INDIVIDUAL AND SMALL GROUP health benefit plans issued or renewed in  
16 this state ~~that are subject to this subsection (23), and the division shall~~  
17 ~~implement the requirements of this subsection (23), if:~~

18 (A) ~~The division receives confirmation from~~ TWELVE MONTHS  
19 AFTER the federal department of health and human services DETERMINES  
20 that the coverage specified in this subsection (23) does not constitute an  
21 additional benefit that requires defrayal by the state pursuant to 42 U.S.C.  
22 sec. 18031 (d)(3)(B). ~~or~~

23 (B) ~~More than three hundred sixty-five days have passed since the~~  
24 ~~division submitted its determination and request for confirmation that the~~  
25 ~~coverage specified in this subsection (23) is not an additional benefit that~~  
26 ~~requires state defrayal pursuant to 42 U.S.C. sec. 18031 (d)(3)(B), and the~~  
27 ~~federal department of health and human services has failed to respond to~~  
28 ~~the request within that period, in which case the division shall consider~~

1 ~~the federal department's unreasonable delay a preclusion from requiring~~  
2 ~~defrayal by the state."~~

3 Page 3, strike lines 1 through 24.

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