

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 14, 2023  
Date

Committee on Appropriations.

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

HB23-1201 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Health and Insurance Committee Report, dated March 17,  
2 2023, page 2, line 13, strike "COMMISSIONER." and substitute  
3 "COMMISSIONER.

4 (g) A CARRIER MAY EXEMPT A SEGMENT OF ITS BUSINESS FROM  
5 THIS SUBSECTION (2). THE CARRIER'S EXEMPTED BUSINESS SEGMENT MUST  
6 PROVIDE THE MAJORITY OF COVERED MEDICAL PROFESSIONAL SERVICES  
7 THROUGH A SINGLE, CONTRACTED MEDICAL GROUP AND OPERATE ITS OWN  
8 PHARMACIES THROUGH WHICH AT LEAST EIGHTY-FIVE PERCENT OF ITS  
9 AGGREGATE PRESCRIPTION DRUG CLAIMS ARE FILLED. ON AND AFTER THE  
10 EFFECTIVE DATE OF THIS SECTION, A CARRIER THAT MEETS THE EXEMPTION  
11 CRITERIA IN THIS SUBSECTION (2)(g) SHALL SUBMIT AN ATTESTATION TO  
12 THE DIVISION OF SUCH COMPLIANCE WITH EACH RATE FILING REQUIRED  
13 PURSUANT TO SECTION 10-16-107. THE CARRIER OR PBM SHALL DISCLOSE  
14 ALL DATA REQUIREMENTS AS OUTLINED IN THIS SUBSECTION (2) TO THE  
15 CARRIER'S GROUP POLICYHOLDERS THAT ARE PRIMARILY ACCESSING  
16 PRESCRIPTION DRUG BENEFITS THROUGH A THIRD-PARTY PBM  
17 CONTRACTED WITH THE CARRIER."

18 Page 4 of the report, line 4, strike "SECTION." and substitute:  
19 "SECTION.

20 **SECTION 3. Appropriation.** For the 2023-24 state fiscal year,  
21 \$10,000 is appropriated to the department of regulatory agencies for use  
22 by the division of insurance. This appropriation is from the division of  
23 insurance cash fund created in section 10-1-103 (3), C.R.S. To implement  
24 this act, the division may use this appropriation for personal services."

25 Page 4, after line 5 insert:

- 1 "Page 1 of the bill, strike line 102 and substitute "REQUIREMENTS, AND,
- 2 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

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