

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 27, 2017
Date

Committee on Health, Insurance, & Environment.

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

SB17-249 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend reengrossed bill, page 4, after line 14 insert:

2 "SECTION 4. In Colorado Revised Statutes, **amend as added by**
3 **House Bill 17-1231** 10-1-310 as follows:

4 **10-1-310. Fines and penalties.** (2) The commissioner shall
5 ensure that fines and penalties levied as a result of market conduct
6 surveillance or other action enforcing this part 3 are consistent,
7 reasonable, and justified. EVERY FINE OR PENALTY MUST RELATE TO THE
8 GENERAL BUSINESS PRACTICES AND COMPLIANCE ACTIVITIES OF INSURERS
9 AND NOT TO CLEARLY INFREQUENT OR UNINTENTIONAL RANDOM ERRORS
10 THAT DO NOT CAUSE SIGNIFICANT CONSUMER HARM."

11 Renumber succeeding sections accordingly.

12 Page 5, strike line 7 and substitute "(1)(b) introductory portion, (1)(b)(II),
13 (1)(b)(III), (2) introductory portion, (2)(b), and (2)(g); and".

14 Page 5, after line 15 insert:

15 "(II) Has arrangements, established in accordance with regulations
16 promulgated by the ~~executive director~~ COMMISSIONER, for an ongoing
17 quality of health care assurance program concerning health care processes
18 and outcomes; and

19 (III) Has a procedure, established in accordance with regulations
20 of the ~~executive director~~ COMMISSIONER, to develop, compile, evaluate,

1 and report statistics relating to the cost of its operations, the pattern of
2 utilization of its services, the availability and accessibility of its services,
3 and such other matters as may be reasonably required by the ~~executive~~
4 ~~director~~ COMMISSIONER."

5 Page 6, after line 6 insert:

6 "(g) Any deficiencies certified by the ~~executive~~ director
7 COMMISSIONER have been corrected."

8 Page 11, strike lines 22 and 23 and substitute:

9 "(c) AN INDIVIDUAL WHO IS OR HAS BEEN ENROLLED IN A HEALTH
10 COVERAGE PLAN."

11 Page 13, line 17, strike "and (2)(a)".

12 Page 13, strike lines 21 and 22 and substitute "health or sickness or life
13 insurance and has completed a one-time training course ~~on or before~~
14 ~~January 1, 2009~~, and ongoing training every".

15 Page 13, strike lines 25 through 27.

16 Page 14, strike lines 1 and 2.

17 Page 14, after line 21 insert:

18 "**SECTION 23. Effective date.** (1) Except as otherwise provided
19 in this section, this act takes effect upon passage.

20 (2) (a) Section 3 of this act takes effect September 1, 2017.

21 (b) Section 10-1-215 (1), Colorado Revised Statutes, as amended
22 in said section 3 of this act, takes effect only if House Bill 17-1231 does
23 not become law.

24 (3) (a) Section 4 of this act takes effect September 1, 2017.

25 (b) Section 10-1-310 (2), Colorado Revised Statutes, as amended
26 in said section 4 of this act, takes effect only if House Bill 17-1231
27 becomes law."

28 Renumber succeeding section accordingly.

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