

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0272.01 Shelby Ross x4510

SENATE BILL 20-156

SENATE SPONSORSHIP

Pettersen and Moreno,

HOUSE SPONSORSHIP

Esgar and Mullica,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING SERVICES RELATED TO PREVENTIVE HEALTH CARE, AND,
102 IN CONNECTION THEREWITH, REQUIRING COVERAGE FOR
103 CERTAIN PREVENTIVE MEASURES, SCREENINGS, AND
104 TREATMENTS THAT ARE ADMINISTERED, DISPENSED, OR
105 PRESCRIBED BY HEALTH CARE PROVIDERS AND FACILITIES.

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 codifies a number of preventive health care services currently required to be covered by health insurance carriers pursuant to

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

the federal "Patient Protection and Affordable Care Act" and adds them to the current list of services required to be covered by Colorado health insurance carriers, which services are not subject to policy deductibles, copayments, or coinsurance. The bill expands certain preventive health care services to include osteoporosis screening, urinary incontinence screening, and screening and treatment of a sexually transmitted infection (STI).

Current law requires a health care provider or facility to perform a diagnostic exam for an STI and subsequently prescribe treatment for an STI at the request of a minor patient. The bill allows a health care provider to administer, dispense, or prescribe preventive measures or medications where applicable. The consent of a parent is not a prerequisite for a minor to receive preventive care, but a health care provider shall counsel the minor on the importance of bringing the minor's parent or legal guardian into the minor's confidence regarding the services.

Current law requires the executive director of the department of health care policy and financing to authorize reimbursement for medical or diagnostic services provided by a certified family planning clinic. The bill defines family planning services and authorizes reimbursement for family planning services. The bill allows staffing by medical professionals to be accomplished through telemedicine.

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, (18)(a)(III)(A), (18)(b) introductory
4 portion, (18)(b)(I), (18)(b)(IX), and (18)(b)(X); and **add** (18)(b)(XI),
5 (18)(b)(XII), (18)(b)(XIII), (18)(b)(XIV), (18)(b)(XV), (18)(b)(XVI),
6 (18)(b)(XVII), (18)(b)(XVIII), (18)(b)(XIX), (18)(b)(XX), (18)(b)(XXI),
7 (18)(b)(XXII), (18)(b)(XXIII), (18)(b)(XXIV), (18)(b)(XXV),
8 (18)(b)(XXVI), (18)(b)(XXVII), (18)(b)(XXVIII), (18)(b)(XXIX),
9 (18)(b)(XXX), (18)(b)(XXXI), (18)(b)(XXXII), (18)(b)(XXXIII), and
10 (18)(b)(XXXIV) as follows:

11 **10-16-104. Mandatory coverage provisions - definitions -**
12 **rules.** (18) **Preventive health care services.** (a) (I) The following
13 policies and contracts that are delivered, issued, renewed, or reinstated on

1 or after January 1, 2010, must provide coverage for the total cost of the
2 preventive health care services specified in ~~paragraph (b) of this~~
3 ~~subsection (18)~~ SUBSECTION (18)(b) OF THIS SECTION:

4 (III) (A) Except as provided in ~~sub-subparagraph (B) of this~~
5 ~~subparagraph (H)~~ SUBSECTION (18)(a)(III)(B) OF THIS SECTION, coverage
6 required by this subsection (18) is not subject to policy deductibles,
7 copayments, or coinsurance.

8 (b) The coverage required by this subsection (18) must include
9 preventive health care services for the following: ~~in accordance with the~~
10 ~~A or B recommendations of the task force for the particular preventive~~
11 ~~health care service:~~

12 (I) ~~Unhealthy~~ Alcohol use screening AND COUNSELING for adults,
13 depression screening for adolescents and adults, and perinatal maternal
14 counseling for persons at risk. The services specified in this section may
15 be provided by a primary care provider; behavioral health care provider,
16 as defined in section 25-1.5-502 (1.3); or mental health professional
17 licensed or certified pursuant to article 245 of title 12.

18 (IX) Tobacco use screening of adults and tobacco cessation
19 interventions by primary care providers, ~~and~~ INCLUDING EXPANDED
20 TOBACCO INTERVENTION AND COUNSELING FOR PREGNANT TOBACCO
21 USERS;

22 (X) ~~(A) Any other preventive services included in the A or B~~
23 ~~recommendation of the task force or required by federal law.~~

24 ~~(B) This subparagraph (X) does not apply to grandfathered health~~
25 ~~benefit plans.~~ ABDOMINAL AORTIC ANEURYSM ONE-TIME SCREENING;

26 (XI) ASPIRIN USE TO PREVENT CARDIOVASCULAR DISEASE AND
27 COLORECTAL CANCER;

- 1 (XII) BLOOD PRESSURE SCREENING;
- 2 (XIII) TYPE 2 DIABETES SCREENING FOR ADULTS AND
3 GESTATIONAL DIABETES SCREENING FOR INDIVIDUALS TWENTY-FOUR TO
4 TWENTY-EIGHT WEEKS PREGNANT;
- 5 (XIV) DIET COUNSELING FOR ADULTS AT HIGHER RISK FOR
6 CHRONIC DISEASE;
- 7 (XV) FALL PREVENTION FOR ADULTS SIXTY-FIVE YEARS OF AGE OR
8 OLDER WHO LIVE IN A COMMUNITY SETTING;
- 9 (XVI) HEPATITIS B AND HEPATITIS C SCREENING;
- 10 (XVII) HUMAN IMMUNODEFICIENCY VIRUS SCREENING;
- 11 (XVIII) LUNG CANCER SCREENING FOR ADULTS AT HIGH RISK FOR
12 LUNG CANCER BECAUSE THE ADULT HAS A HISTORY OF HEAVY SMOKING
13 OR QUIT SMOKING WITHIN THE PAST FIFTEEN YEARS;
- 14 (XIX) OBESITY SCREENING AND COUNSELING;
- 15 (XX) COUNSELING, PREVENTION, SCREENING, AND TREATMENT OF
16 A SEXUALLY TRANSMITTED INFECTION, AS DEFINED IN SECTION 25-4-402
17 (10);
- 18 (XXI) STATIN PREVENTIVE MEDICATION FOR ADULTS;
- 19 (XXII) TUBERCULOSIS SCREENING;
- 20 (XXIII) ANEMIA SCREENING ON A ROUTINE BASIS;
- 21 (XXIV) COMPREHENSIVE BREASTFEEDING SUPPORT AND
22 COUNSELING FROM TRAINED PROVIDERS AND ACCESS TO BREASTFEEDING
23 SUPPLIES FOR PREGNANT AND NURSING INDIVIDUALS;
- 24 (XXV) FOLIC ACID SUPPLEMENTS FOR INDIVIDUALS WHO MAY
25 BECOME PREGNANT;
- 26 (XXVI) PREECLAMPSIA PREVENTION AND SCREENING FOR
27 PREGNANT INDIVIDUALS WITH HIGH BLOOD PRESSURE;

1 (XXVII) RH INCOMPATIBILITY SCREENING FOR ALL PREGNANT
2 INDIVIDUALS AND FOLLOW-UP TESTING FOR INDIVIDUALS AT HIGHER RISK
3 FOR RH INCOMPATIBILITY;

4 (XXVIII) URINARY TRACT, YEAST, OR OTHER INFECTION
5 SCREENING;

6 (XXIX) DOMESTIC AND INTERPERSONAL VIOLENCE SCREENING
7 AND COUNSELING;

8 (XXX) OSTEOPOROSIS SCREENING FOR ALL ADULTS SIXTY YEARS
9 OF AGE OR OLDER;

10 (XXXI) YEARLY URINARY INCONTINENCE SCREENING;

11 (XXXII) ALL CONTRACEPTION, AS DEFINED IN SECTION 2-4-401
12 (1.5);

13 (XXXIII) FAMILY PLANNING SERVICES AND FAMILY PLANNING
14 RELATED SERVICES, AS DESCRIBED IN SECTION 25.5-4-412 (2); AND

15 (XXXIV)(A) ANY OTHER PREVENTIVE SERVICES INCLUDED IN THE
16 A OR B RECOMMENDATION OF THE TASK FORCE OR REQUIRED BY FEDERAL
17 LAW.

18 (B) THIS SUBSECTION (18)(b)(XXXIV) DOES NOT APPLY TO
19 GRANDFATHERED HEALTH BENEFIT PLANS.

20 **SECTION 2.** In Colorado Revised Statutes, 25-4-409, **amend**
21 (1)(a) and (2) as follows:

22 **25-4-409. Minors - treatment - consent.** (1) (a) A health care
23 provider or facility, if consulted by a patient who is a minor, shall
24 perform, at the minor's request, a diagnostic examination for a sexually
25 transmitted infection. The health care provider or facility shall treat the
26 minor for a sexually transmitted infection, if necessary; discuss,
27 ~~prevention~~ ADMINISTER, DISPENSE, OR PRESCRIBE PREVENTIVE measures

1 OR MEDICATIONS, where applicable; and include appropriate therapies and
2 prescriptions.

3 (2) The consent of a parent or legal guardian is not a prerequisite
4 for a minor to receive a consultation, examination, PREVENTIVE CARE, or
5 treatment for sexually transmitted infections. For the purposes of this
6 section, health care provided to a minor is confidential, and information
7 related to that care must not be divulged to any person other than the
8 minor; except that the reporting required pursuant to the "Child Protection
9 Act of 1987", part 3 of article 3 of title 19, ~~C.R.S.~~, still applies. If the
10 minor is thirteen years of age or younger, the health care provider may
11 involve the minor's parent or legal guardian. A health care provider shall
12 counsel the minor on the importance of bringing ~~his or her~~ THE MINOR'S
13 parent or legal guardian into the minor's confidence regarding the
14 consultation, exam, or treatment.

15 **SECTION 3.** In Colorado Revised Statutes, **amend** 25.5-4-412
16 as follows:

17 **25.5-4-412. Family planning services - family planning related**
18 **services - rules - definitions.** (1) When ~~medical or diagnostic~~ FAMILY
19 PLANNING services OR FAMILY PLANNING RELATED SERVICES are provided
20 in accordance with this ~~article~~ ARTICLE 4 and articles 5 and 6 of this title
21 ~~by a certified family planning clinic~~ TITLE 25.5, the executive director of
22 the state department shall authorize reimbursement for the services. ~~The~~
23 ~~reimbursement shall be made directly to the certified family planning~~
24 ~~clinic~~ THE STATE DEPARTMENT, ANY INTERMEDIARY, OR ANY MANAGED
25 CARE ORGANIZATION SHALL REIMBURSE THE PROVIDER OF THOSE
26 SERVICES. FAMILY PLANNING SERVICES AND FAMILY PLANNING RELATED
27 SERVICES ARE NOT SUBJECT TO POLICY DEDUCTIBLES, COPAYMENTS, OR

1 COINSURANCE.

2 (2) For purposes of this section, "~~certified family planning clinic~~"
3 ~~means a family planning clinic certified by the Colorado department of~~
4 ~~public health and environment, accredited by a national family planning~~
5 ~~organization, and staffed by medical professionals licensed to practice in~~
6 ~~the state of Colorado, including, but not limited to, doctors of medicine,~~
7 ~~doctors of osteopathy, physician assistants, and advanced practice nurses.~~

8 UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (a) "FAMILY PLANNING RELATED SERVICES" MEANS ANY
10 MEDICALLY NECESSARY HEALTH CARE OR COUNSELING SERVICES
11 PROVIDED PURSUANT TO A FAMILY PLANNING VISIT, WHICH MAY INCLUDE
12 THE TREATMENT OF MEDICAL CONDITIONS ROUTINELY DIAGNOSED DURING
13 A FAMILY PLANNING VISIT; TREATMENT FOR A URINARY TRACT INFECTION;
14 TESTING, TREATMENT, AND PREVENTION OF SEXUALLY TRANSMITTED
15 INFECTIONS; AND TREATMENT OF MEDICAL COMPLICATIONS RESULTING
16 FROM A FAMILY PLANNING VISIT.

17 (b) "FAMILY PLANNING SERVICES" MEANS ANY HEALTH CARE OR
18 COUNSELING SERVICES FOCUSED ON PREVENTING, DELAYING, OR
19 PLANNING FOR A PREGNANCY, WHICH MUST INCLUDE MEDICALLY
20 NECESSARY EVALUATION OR PREVENTIVE SERVICES AND SUPPLIES.

21 (3) ~~For purposes of this section, all medical care services or goods~~
22 ~~rendered by a certified family planning clinic that are benefits of the~~
23 ~~Colorado medical assistance program. shall be ordered by a physician~~
24 ~~who need not be physically present on the premises of the certified family~~
25 ~~planning clinic at the time services are rendered.~~

26 (4) ~~Nothing in this section shall be construed as expanding the~~
27 ~~provision of services available as a part of the medical assistance program~~

1 ~~established pursuant to this article and articles 5 and 6 of this title. For~~
2 ~~purposes of making payments to certified family planning clinics pursuant~~
3 ~~to this section~~ PROVIDERS, the state board shall establish rules
4 implementing this section. ~~The rules promulgated pursuant to this~~
5 ~~subsection (4) shall ensure that the reimbursement for services rendered~~
6 ~~by a certified family planning clinic pursuant to this section shall not be~~
7 ~~the sole result of an increase in the costs to the state medical assistance~~
8 ~~program.~~

9 (5) ANY RECIPIENT MAY OBTAIN FAMILY PLANNING SERVICES OR
10 FAMILY PLANNING RELATED SERVICES FROM ANY LICENSED HEALTH CARE
11 PROVIDER, INCLUDING BUT NOT LIMITED TO A DOCTOR OF MEDICINE,
12 DOCTOR OF OSTEOPATHY, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE
13 NURSE, WHO PROVIDES SUCH SERVICES. THE ENROLLMENT OF A RECIPIENT
14 IN A MANAGED CARE ORGANIZATION, OR A SIMILAR ENTITY, DOES NOT
15 RESTRICT A RECIPIENT'S CHOICE OF THE LICENSED PROVIDER FROM WHOM
16 THE RECIPIENT MAY RECEIVE THOSE SERVICES.

17 **SECTION 4. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety.