

## CHAPTER 296

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**INSURANCE**

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**SENATE BILL 16-006**

BY SENATOR(S) Martinez Humenik, Lundberg, Roberts, Tate, Cooke, Grantham, Lambert, Marble, Scheffel, Woods, Cadman;  
also REPRESENTATIVE(S) Sias, Landgraf, Conti, Pettersen, Ryden, Van Winkle.

**AN ACT**

**CONCERNING THE USE OF QUALIFIED INSURANCE BROKERS TO ENROLL ELIGIBLE PARTICIPANTS IN HEALTH BENEFIT PLANS THROUGH THE COLORADO HEALTH BENEFIT EXCHANGE.**

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

**SECTION 1.** In Colorado Revised Statutes, **add** 10-22-112 as follows:

**10-22-112. Health benefit exchange - referral to private insurance brokers.** ON OR BEFORE NOVEMBER 1, 2016, THE EXCHANGE SHALL INCLUDE THE FOLLOWING IN ITS PROTOCOL FOR INTERACTING WITH CONSUMERS IN ORDER TO ASSIST CONSUMERS IN ENROLLING IN HEALTH BENEFIT PLANS: UPON A CONSUMER'S CONTACT WITH THE EXCHANGE WHEN SEEKING ASSISTANCE IN SELECTING A QUALIFIED HEALTH PLAN, WHETHER ONLINE, BY TELEPHONE, OR ON THE INTERNET, THE EXCHANGE SHALL INFORM THE CONSUMER THAT HE OR SHE HAS THE OPTION OF SELECTING COVERAGE ONLINE OR WITH THE ASSISTANCE OF A NAVIGATOR OR WITH THE ASSISTANCE OF A QUALIFIED INSURANCE BROKER; THE EXCHANGE SHALL INFORM THE CONSUMER THAT A NAVIGATOR MAY ASSIST WITH A HEALTH BENEFIT PLAN SELECTION, BUT MAY NOT OFFER ADVICE ON A HEALTH BENEFIT PLAN BASED ON THE CONSUMER'S INDIVIDUAL SITUATION, WHEREAS A QUALIFIED BROKER MAY OFFER ADVICE BASED ON THE CONSUMER'S PERSONAL AND FAMILY SITUATION AT NO ADDITIONAL COST TO THE CONSUMER; AND THE EXCHANGE SHALL MAINTAIN WEB-BASED TOOLS THAT ALLOW INSURANCE BROKERS TO DEVELOP AND MAINTAIN CLIENT RELATIONSHIPS FOR CUSTOMERS WHO ARE ELIGIBLE TO ENROLL IN PRIVATE HEALTH BENEFIT PLANS, WHEN APPROPRIATE, IF THE CLIENT REQUESTS THIS OPTION.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 10, 2016