

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 23, 2016

Date

Committee on Public Health Care & Human Services.

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

HB16-1165 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, line 16, strike "**settlements.**" and substitute
- 2 "**settlements - rules.**".

- 3 Page 4, line 4, after "MONEYS" insert "IN EXCESS OF ONE THOUSAND
- 4 DOLLARS".

- 5 Page 4, line 6, strike "INJURY;" and substitute "INJURY UNDER A POLICY
- 6 FOR LIABILITY;".

- 7 Page 4, line 7, after "DEATH;" add "OR".

- 8 Page 4, line 8, strike "COMPENSATION; OR" and substitute
- 9 "COMPENSATION.".

- 10 Page 4, strike lines 9 through 11.

- 11 Page 4, after line 23 insert:
- 12 "(III) (A) UPON THE REQUEST OF AN INSURANCE COMPANY, AN
- 13 INDIVIDUAL WITH AN INSURANCE CLAIM PAYMENT, AWARD, OR
- 14 SETTLEMENT GOVERNED BY THIS SECTION SHALL PROVIDE TO THE INSURER
- 15 HIS OR HER CURRENT ADDRESS, DATE OF BIRTH, AND SOCIAL SECURITY
- 16 NUMBER;
- 17 (B) THE INSURANCE COMPANY MAKING THE REQUEST MAY INFORM

1 THE CLAIMANT THAT THE REQUEST IS BEING MADE IN ACCORDANCE WITH
2 THIS SECTION FOR THE PURPOSE OF ASSISTING THE STATE'S CHILD SUPPORT
3 ENFORCEMENT AGENCY IN ENFORCING CHILD SUPPORT LIENS PURSUANT TO
4 SECTION 14-10-122, C.R.S.; AND

5 (C) AN INSURER SHALL NOT MAKE PAYMENT TO A CLAIMANT WHO
6 REFUSES TO PROVIDE THE INFORMATION REQUIRED BY THIS SECTION. AN
7 INSURER THAT DECLINES TO MAKE PAYMENT ON THIS BASIS IS EXEMPT
8 FROM SUIT AND IMMUNE TO LIABILITY UNDER THIS SECTION AND ANY
9 OTHER SECTION IN A COMMON LAW ACTION IN LAW OR EQUITY.

10 (IV) THE STATE BOARD SHALL PROMULGATE RULES CONCERNING
11 APPROPRIATE PROCEDURES THAT THE STATE DEPARTMENT OR THE STATE'S
12 CHILD SUPPORT ENFORCEMENT AGENCY SHALL FOLLOW REGARDING
13 CERTAIN INSURANCE CLAIM PAYMENTS, AWARDS, OR SETTLEMENTS,
14 INCLUDING CLAIM PAYMENTS, AWARDS, OR SETTLEMENTS TO MULTIPLE
15 PARTIES. THE RULES MUST IDENTIFY FACTORS THE STATE'S CHILD SUPPORT
16 ENFORCEMENT AGENCY SHALL CONSIDER IN DETERMINING WHETHER TO
17 ATTACH THE CLAIM PAYMENT, AWARD, OR SETTLEMENT, OR ANY PORTION
18 OF SUCH CLAIM PAYMENT, AWARD, OR SETTLEMENT."

19 Page 5, line 1, strike "ACTIONS TAKEN" and substitute "ANY ACTIONS OR
20 OMISSIONS TAKEN OR MADE".

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