

## CHAPTER 44

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**INSURANCE**


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**HOUSE BILL 24-1035**

BY REPRESENTATIVE(S) Boesenecker and Jodeh, Bradfield, Hartsook, Ricks, Bacon, Bird, Brown, Clifford, Froelich, Garcia, Hamrick, Hernandez, Herod, Joseph, Kipp, Lindsay, Mabrey, Parenti, Snyder, Story, Velasco, Woodrow, Young, McCluskie, Amabile, Duran, English, Marshall, McCormick, Ortiz, Rutinel, Valdez, Vigil;  
also SENATOR(S) Jaquez Lewis and Will, Ginal, Michaelson Jenet, Roberts, Buckner, Cutter, Fields, Priola, Winter F.

**AN ACT**

**CONCERNING TECHNICAL MODIFICATIONS TO THE LAWS GOVERNING THE COLORADO HEALTH BENEFIT EXCHANGE, AND, IN CONNECTION THEREWITH, MODIFYING THE CRITERIA FOR MEMBERSHIP ON AND THE NUMBER OF MEETINGS OF THE COLORADO HEALTH INSURANCE EXCHANGE OVERSIGHT COMMITTEE, ADJUSTING THE TIMELINE FOR CERTAIN REPORTS AND PRESENTATIONS REGARDING THE OPERATIONS OF THE EXCHANGE, AND DIRECTING THE EXCHANGE TO ANNUALLY PRESENT ITS FINANCIAL AND OPERATIONAL PLANS AND MAJOR BOARD ACTIONS TO THE COMMITTEE.**

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

**SECTION 1.** In Colorado Revised Statutes, 10-22-106, **amend** (1) introductory portion, (1)(d), and (1)(e) as follows:

**10-22-106. Powers and duties of the board.** (1) The board is the governing body of the exchange and has all the powers and duties necessary to implement this ~~article~~ **ARTICLE 22**. The board shall:

(d) Create technical and advisory groups to operate on an ongoing basis and to report to the board and provide guidance at the direction of the board on issues that directly or indirectly affect consumers. The board shall use reasonable efforts to ensure that the technical and advisory groups reflect geographic diversity and diverse opinions on issues affecting consumers. The technical and advisory groups shall meet ~~at least quarterly throughout the year~~ **AS NECESSARY** to discuss issues related to the exchange and **TO make recommendations to the board.** ~~except that, beginning two years after June 1, 2016, the groups shall meet only as necessary.~~

(e) Provide a written **OPEN ENROLLMENT** report ~~on or before January 15 of each year,~~ to the governor and the general assembly ~~concerning the planning and~~

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

~~establishment of the exchange~~ ANNUALLY and present ~~the report~~ AN OPEN ENROLLMENT UPDATE to the senate health and human services committee and the house of representatives health and ~~environment~~ HUMAN SERVICES committee, or their successor committees, DURING EACH LEGISLATIVE SESSION;

**SECTION 2.** In Colorado Revised Statutes, 10-22-107, **amend** (1)(a), (2), and (7) as follows:

**10-22-107. Colorado health insurance exchange oversight committee - creation - duties.** (1) (a) For the purposes of guiding implementation of an exchange in Colorado, making recommendations to the general assembly, and ensuring that the interests of Coloradans are protected and furthered, there is hereby created the Colorado health insurance exchange oversight committee. The committee shall meet at the call of the chair at least ~~two times~~ ONE TIME during each calendar year WHEN THE GENERAL ASSEMBLY IS NOT IN SESSION but no more than seven times during each calendar year when the general assembly is not in session. The committee may meet an unlimited number of times at the call of the chair when the general assembly is in session. The committee may use the legislative council staff to assist its members in researching any matters.

(2) (a) The president of the senate shall appoint three members to the committee. Two appointees ~~shall~~ MUST be members of the senate health and human services committee, the SENATE business, labor, and technology committee, or the legislative audit committee, or their successor committees. One appointee ~~shall~~ MUST be a representative of the senate at large.

(b) The speaker of the house of representatives shall appoint three members to the committee. Two appointees ~~shall~~ MUST be members of the house OF REPRESENTATIVES health and ~~environment~~ HUMAN SERVICES committee, the ~~economic and business development~~ HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR committee, or the legislative audit committee, or their successor committees. One appointee ~~shall~~ MUST be a representative of the house of representatives at large.

(c) The minority leader of the senate shall appoint two members to the committee. One appointee ~~shall~~ MUST be a member of the senate health and human services committee, the SENATE business, labor, and technology committee, or the legislative audit committee, or their successor committees. One appointee ~~shall~~ MUST be a representative of the senate at large.

(d) The minority leader of the house of representatives shall appoint two members to the committee. One appointee ~~shall~~ MUST be a member of the house OF REPRESENTATIVES health and ~~environment~~ HUMAN SERVICES committee, the ~~economic and business development~~ HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR committee, or the legislative audit committee, or their successor committees. One appointee ~~shall~~ MUST be a representative of the house of representatives at large.

(e) Members of the committee shall serve at the pleasure of the appointing authority.

(7) The ~~board~~ EXCHANGE shall ~~send~~ ANNUALLY PRESENT TO the committee ~~an annual report that contains~~ the financial and operational plans of the exchange and the major actions taken by the board, particularly actions that affect consumers. The committee shall review the financial and operational plans of the exchange and the major actions taken by the board.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 4, 2024