

SB061_L.006

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Health and Human Services.

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

SB09-061 be amended as follows:

- 1 Amend printed bill, page 2, line 11, after "SPECIALTIES", insert "OR
2 APPROPRIATE LEVEL II ACCREDITATION".
- 3 Page 4, line 3, after "REVIEWED.", add "If A COLORADO-LICENSED HEALTH
4 CARE PROFESSIONAL WITH APPROPRIATE EXPERTISE IS NOT AVAILABLE TO
5 PERFORM THE UTILIZATION REVIEW, THE PRIVATE UTILIZATION
6 ORGANIZATION MAY USE A HEALTH CARE PROFESSIONAL WHO IS LICENSED
7 IN GOOD STANDING IN ANOTHER STATE AND HAS THE APPROPRIATE
8 EXPERTISE TO PERFORM THE UTILIZATION REVIEW IF SUCH HEALTH CARE
9 PROFESSIONAL AGREES TO BE SUBJECT TO THE JURISDICTION AND
10 DISCIPLINARY AUTHORITY OF THE STATE BOARD OF MEDICAL EXAMINERS
11 PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S., OR OTHER APPROPRIATE
12 STATE BOARD THAT REGULATES THE PROFESSION IN WHICH THE HEALTH
13 CARE PROFESSIONAL IS ENGAGED.";
- 14 line 10, strike "OR APPEALING THE DENIAL" and substitute "AND
15 CONSIDERING ELIGIBILITY FOR PAYMENT";
- 16 line 13, strike "OR APPEAL IS" and substitute "AND CONSIDERATION ARE";
- 17 line 17, after "REVIEWED.", add "If A COLORADO-LICENSED HEALTH CARE
18 PROFESSIONAL WITH APPROPRIATE EXPERTISE IS NOT AVAILABLE TO
19 PERFORM THE REVIEW AND CONSIDERATION, THE INSURER MAY USE A
20 HEALTH CARE PROFESSIONAL WHO IS LICENSED IN GOOD STANDING IN
21 ANOTHER STATE AND HAS THE APPROPRIATE EXPERTISE TO PERFORM THE
22 REVIEW AND CONSIDERATION IF SUCH HEALTH CARE PROFESSIONAL



1 AGREES TO BE SUBJECT TO THE JURISDICTION AND DISCIPLINARY
2 AUTHORITY OF THE STATE BOARD OF MEDICAL EXAMINERS PURSUANT TO
3 ARTICLE 36 OF TITLE 12, C.R.S., OR OTHER APPROPRIATE STATE BOARD
4 THAT REGULATES THE PROFESSION IN WHICH THE HEALTH CARE
5 PROFESSIONAL IS ENGAGED."

6 Page 5, strike line 2 and substitute the following:

7 "CONDUCTED BY AT LEAST ONE HEALTH CARE PROFESSIONAL WHO IS";

8 line 3, strike "HAVE" and substitute "HAS";

9 line 5, after "REVIEWED.", add "IF A COLORADO-LICENSED HEALTH CARE
10 PROFESSIONAL WITH APPROPRIATE EXPERTISE IS NOT AVAILABLE TO
11 PERFORM THE UTILIZATION REVIEW, THE PRIVATE UTILIZATION
12 ORGANIZATION MAY USE A HEALTH CARE PROFESSIONAL WHO IS LICENSED
13 IN GOOD STANDING IN ANOTHER STATE AND HAS THE APPROPRIATE
14 EXPERTISE TO PERFORM THE UTILIZATION REVIEW IF SUCH HEALTH CARE
15 PROFESSIONAL AGREES TO BE SUBJECT TO THE JURISDICTION AND
16 DISCIPLINARY AUTHORITY OF THE STATE BOARD OF MEDICAL EXAMINERS
17 PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S., OR OTHER APPROPRIATE
18 STATE BOARD THAT REGULATES THE PROFESSION IN WHICH THE HEALTH
19 CARE PROFESSIONAL IS ENGAGED."

20 Page 6, line 23, after "(8)", insert "(a)";

21 line 27, strike "(a)" and substitute "(I)".

22 Page 7, line 1, strike "(b)" and substitute "(II)";

23 after line 2, insert the following:

24 "(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (8)
25 OR ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, IF A
26 COLORADO-LICENSED PHYSICIAN, DENTIST, OR HEALTH CARE
27 PROFESSIONAL WITH THE APPROPRIATE EXPERTISE IS NOT AVAILABLE TO
28 MAKE A RECOMMENDATION ON A REQUEST FOR COVERED BENEFITS,
29 EVALUATE A FIRST-LEVEL APPEAL, OR REVIEW A SECOND-LEVEL APPEAL
30 PURSUANT TO THIS SECTION, THE HEALTH COVERAGE PLAN MAY USE A
31 PHYSICIAN, DENTIST, OR HEALTH CARE PROFESSIONAL WHO IS LICENSED IN
32 GOOD STANDING IN ANOTHER STATE AND HAS THE APPROPRIATE



- 1 EXPERTISE TO MAKE THE RECOMMENDATION OR EVALUATE OR REVIEW
2 THE APPEAL IF SUCH PHYSICIAN, DENTIST, OR HEALTH CARE PROFESSIONAL
3 AGREES TO BE SUBJECT TO THE JURISDICTION AND DISCIPLINARY
4 AUTHORITY OF THE STATE BOARD THAT REGULATES THE APPLICABLE
5 PROFESSION IN THIS STATE.";
- 6 line 3, strike "(2) (c) (II) (B) and";
- 7 line 4, strike "are" and substitute "is";
- 8 strike lines 6 through 13 and substitute the following:
- 9 **"legislative declaration - definitions.** (5) Upon receipt of a request
10 from a covered ~~person~~ INDIVIDUAL".

** ** ** ** **

