

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 10-0826.01 Kristen Forrestal

HOUSE BILL 10-1242

HOUSE SPONSORSHIP

**Apuan,** Court, Gagliardi, Hullinghorst, Kerr A., Labuda, Massey, McKinley, Miklosi, Peniston, Primavera, Priola, Riesberg, Schafer S., Solano, Todd, Tyler, Vigil

SENATE SPONSORSHIP

**Tochtrop,**

House Committees

State, Veterans, & Military Affairs  
Finance

Senate Committees

Health and Human Services

A BILL FOR AN ACT

101 CONCERNING THE IMPLEMENTATION OF A UNIFORM APPLICATION  
102 FORM FOR INDIVIDUAL HEALTH BENEFIT PLANS BY THE  
103 COMMISSIONER OF INSURANCE.

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://www.leg.state.co.us/billsummaries>.)*

The bill requires the commissioner of insurance (commissioner) to implement a uniform application form for individual sickness and accident health benefit plans. The bill requires the commissioner to take recommendations from members of the insurance industry regarding the

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

SENATE  
2nd Reading Unam ended  
April 20, 2010

HOUSE  
3rd Reading Unam ended  
March 25, 2010

HOUSE  
Am ended 2nd Reading  
March 23, 2010

form and content of the uniform application form and to promulgate rules to require its exclusive use by the industry after January 1, 2012.

---

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

2 **SECTION 1.** 10-16-107.2 (2), Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **10-16-107.2. Filing of health policies - rules.** (2) (c) (I) THE  
5 COMMISSIONER SHALL IMPLEMENT AN INITIAL UNIFORM APPLICATION  
6 FORM FOR INDIVIDUAL HEALTH BENEFIT PLANS AND, ON AND AFTER  
7 JANUARY 1, 2012, SHALL REQUIRE ALL INDIVIDUAL SICKNESS AND  
8 ACCIDENT INSURERS, HEALTH MAINTENANCE ORGANIZATIONS, NONPROFIT  
9 HOSPITAL AND SERVICE CORPORATIONS, HEALTH INSURANCE PRODUCERS  
10 AND PRODUCER ORGANIZATIONS, AND OTHER ENTITIES PROVIDING  
11 INDIVIDUAL HEALTH CARE COVERAGE AUTHORIZED BY THE COMMISSIONER  
12 TO CONDUCT BUSINESS IN THIS STATE TO EXCLUSIVELY USE THE UNIFORM  
13 APPLICATION FORM FOR THE CONDUCT OF BUSINESS IN THIS STATE. THE  
14 INITIAL UNIFORM APPLICATION FORM SHALL INCLUDE THE NAME OF THE  
15 APPLICANT, CONTACT INFORMATION FOR THE APPLICANT, OTHER  
16 DEMOGRAPHIC INFORMATION APPROVED BY THE COMMISSIONER, AND  
17 QUESTIONS CONCERNING MEDICAL CONDITIONS FOR WHICH THE CARRIER  
18 MAY REFUSE TO ISSUE COVERAGE.

19 (II) THE COMMISSIONER SHALL CONSIDER RECOMMENDATIONS  
20 REGARDING THE INITIAL UNIFORM APPLICATION FORM AND CONTENT OF  
21 THE APPLICATION THAT ARE SUBMITTED TO THE DIVISION BY MEMBERS OF  
22 THE INSURANCE INDUSTRY ON OR BEFORE JANUARY 1, 2011.

23 (III) THE COMMISSIONER SHALL PROMULGATE RULES TO  
24 IMPLEMENT THE INITIAL UNIFORM APPLICATION FORM ON OR BEFORE  
25 SEPTEMBER 1, 2011.

1 (IV) ON AND AFTER JANUARY 1, 2012, ALL INDIVIDUAL SICKNESS  
2 AND ACCIDENT INSURERS, HEALTH MAINTENANCE ORGANIZATIONS,  
3 NONPROFIT HOSPITAL AND SERVICE CORPORATIONS, HEALTH INSURANCE  
4 PRODUCERS AND PRODUCER ORGANIZATIONS, AND OTHER ENTITIES THAT  
5 ISSUE INDIVIDUAL HEALTH BENEFIT PLANS SHALL USE THE INITIAL  
6 UNIFORM APPLICATION FORM FOR AN INDIVIDUAL'S COVERAGE.

7 (V) UPON RECEIPT OF AN INITIAL UNIFORM APPLICATION FORM  
8 FROM A CONSUMER, THE CARRIER SHALL REVIEW THE APPLICATION FORM  
9 AND DECIDE TO ISSUE COVERAGE, TO ASK FOR ADDITIONAL UNDUPLICATED  
10 INFORMATION, OR TO DENY COVERAGE.

11 (VI) IF A CARRIER DECIDES TO DENY COVERAGE BASED UPON  
12 INFORMATION RECEIVED IN THE INITIAL UNIFORM APPLICATION FORM, THE  
13 DENIAL OF COVERAGE SHALL SERVE AS A DENIAL FOR PURPOSES OF  
14 ELIGIBILITY FOR COVERAGE THROUGH COVERCOLORADO PURSUANT TO  
15 PART 5 OF ARTICLE 8 OF THIS TITLE.

16 **SECTION 2. Act subject to petition - effective date.** This act  
17 shall take effect at 12:01 a.m. on the day following the expiration of the  
18 ninety-day period after final adjournment of the general assembly (August  
19 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
20 referendum petition is filed pursuant to section 1 (3) of article V of the  
21 state constitution against this act or an item, section, or part of this act  
22 within such period, then the act, item, section, or part shall not take effect  
23 unless approved by the people at the general election to be held in  
24 November 2010 and shall take effect on the date of the official  
25 declaration of the vote thereon by the governor.