

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 26, 2009
Date

Committee on Health and Human Services.

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

HB09-1012 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 2, line 6, before "**group**", insert "**small**";
- 2 line 11, before "EMPLOYER", insert "SMALL".
- 3 Page 3, line 9, strike "(6), THE FEDERAL" and substitute "(6)";
- 4 strike lines 10 and 11;
- 5 line 13, strike "OR GROUP HEALTH COVERAGE" and substitute "HEALTH
- 6 COVERAGE PLAN OR A SMALL GROUP";
- 7 line 15, before "GROUP", insert "SMALL";
- 8 line 16, before "GROUP", insert "SMALL";
- 9 line 17, strike "HEALTH COVERAGE";
- 10 line 18, after "ENTIRE", insert "SMALL" and, after the second "THE", insert
- 11 "SMALL";
- 12 line 22, strike "PRIVATE" and substitute "INDIVIDUALLY IDENTIFIABLE".
- 13 Page 4, line 1, before "GROUPS", insert "SMALL";

- 1 line 2, strike "PLAN." and substitute "PLAN OR SMALL GROUP PLAN.";
- 2 line 3, strike "INCLUDE" and substitute "INCLUDE, BUT ARE NOT LIMITED
3 TO,";
- 4 after line 9, insert the following:
- 5 "(c) A CARRIER SHALL NOT OFFER OR SELL IN THIS STATE AN
6 INDIVIDUAL OR GROUP HEALTH COVERAGE PLAN THAT INCLUDES A
7 WELLNESS AND PREVENTION PROGRAM, OR AN INCENTIVE OR REWARD FOR
8 PARTICIPATION IN A WELLNESS AND PREVENTION PROGRAM, THAT
9 VIOLATES THE FEDERAL "HEALTH INSURANCE PORTABILITY AND
10 ACCOUNTABILITY ACT OF 1996", AS AMENDED, AND THE FEDERAL
11 REGULATIONS IMPLEMENTING SUCH ACT.
- 12 (d) ANY WELLNESS AND PREVENTION PROGRAM, OR AN INCENTIVE
13 OR REWARD FOR PARTICIPATION IN SUCH PROGRAM, OFFERED BY A
14 CARRIER PURSUANT TO THIS SECTION SHALL COMPLY WITH THE FEDERAL
15 "AMERICANS WITH DISABILITIES ACT OF 1990", AS AMENDED, 42 U.S.C.
16 SEC. 12101 ET SEQ., AND PARTS 3 THROUGH 8 OF ARTICLE 34 OF TITLE 24,
17 C.R.S.";
- 18 line 13, strike "PLAN;" and substitute "PLAN OR SMALL GROUP PLAN;"
- 19 line 16, before "GROUP", insert "SMALL";
- 20 line 21, before "GROUP", insert "SMALL";
- 21 line 23, before "GROUP", insert "SMALL".
- 22 Page 5, line 2, before "GROUPS", insert "SMALL";
- 23 line 5, after "INCENTIVES", insert "OR REWARDS";
- 24 strike lines 16 and 17.
- 25 Renumber succeeding subparagraphs accordingly.
- 26 Page 5, line 18, before "GROUPS", insert "SMALL";
- 27 line 24, strike "OR GROUP HEALTH COVERAGE" and substitute "HEALTH

- 1 COVERAGE PLANS OR SMALL GROUP";
- 2 line 27, strike "(4)" and substitute "(5)".
- 3 Page 7, after line 6, insert the following:
- 4 "(XIV) PATIENT-CENTERED MEDICAL HOME PROGRAMS;".
- 5 Renumber succeeding subparagraphs accordingly.

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