

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0677.01 Kristen Forrestal

HOUSE BILL 11-1186

HOUSE SPONSORSHIP

Ryden, Kerr A., McCann, Vigil

SENATE SPONSORSHIP

Guzman,

House Committees
Health and Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REIMBURSEMENT BY HEALTH INSURANCE CARRIERS FOR**
102 **ACUPUNCTURE SERVICES.**

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>.)

Currently, when an insurance policy or plan provides for reimbursement for services performed by certain health care providers licensed to perform the services, a health insurance carrier cannot deny reimbursement when the services are performed. The bill adds licensed acupuncturists to the list of health care providers that cannot be denied

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.

reimbursement.

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

2 **SECTION 1.** 10-16-104 (7) (a) (I) (A), Colorado Revised
3 Statutes, is amended to read:

4 **10-16-104. Mandatory coverage provisions - definitions.**

5 (7) **Reimbursement of providers.** (a) **Sickness and accident**
6 **insurance.** (I) (A) Notwithstanding any provisions of any policy of
7 sickness and accident insurance issued by an entity subject to the
8 provisions of part 2 of this article or a prepaid dental care plan subject to
9 the provisions of part 5 of this article, whenever any such policy or plan
10 provides for reimbursement for ~~any~~ A service that may be lawfully
11 performed by a person licensed in this state for the practice of osteopathy,
12 medicine, dentistry, dental hygiene, optometry, psychology, chiropractic,
13 ~~or~~ podiatry, ~~OR~~ ACUPUNCTURE, A CARRIER SHALL NOT DENY
14 reimbursement under ~~such~~ THE policy or plan ~~shall not be denied~~ when
15 ~~such~~ THE service is rendered by a person so licensed. Nothing in this part
16 1 or ~~parts~~ PART 2 or 5 of this article ~~shall preclude an insurance company~~
17 PRECLUDES A CARRIER from setting different fee schedules in an insurance
18 policy for different services performed by different professions, but the
19 CARRIER SHALL USE THE same fee schedule ~~shall be used~~ for those
20 portions of health services that are substantially identical although
21 performed by different professions.

22 **SECTION 2. Act subject to petition - effective date -**
23 **applicability.** (1) This act shall take effect January 1, 2012; except that,
24 if a referendum petition is filed pursuant to section 1 (3) of article V of
25 the state constitution against this act or an item, section, or part of this act

1 within the ninety-day period after final adjournment of the general
2 assembly, then the act, item, section, or part shall not take effect unless
3 approved by the people at the general election to be held in November
4 2012 and shall take effect on January 1, 2013, or on the date of the
5 official declaration of the vote thereon by the governor, whichever is
6 later.

7 (2) The provisions of this act shall apply to health care policies and
8 plans issued or renewed on or after the applicable effective date of this
9 act.