

**Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 06-0197.01 Kristen Forrestal

SENATE BILL 06-041

SENATE SPONSORSHIP

Veiga,

HOUSE SPONSORSHIP

Coleman, Cadman, and Carroll M.

Senate Committees

Business, Labor and Technology

House Committees

Business Affairs and Labor

A BILL FOR AN ACT

101 **CONCERNING THE APPLICATION OF THE HEALTH INSURANCE PROMPT**
102 **PAY PROVISIONS TO CLAIMS MADE AS A RESULT OF A MOTOR**
103 **VEHICLE ACCIDENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Interim Committee on Auto Insurance. Requires that the prompt pay provisions for health insurance expenses apply to claims made as a result of injuries sustained as a result of a motor vehicle accident. Allows a health insurance carrier to seek reimbursement from any party deemed to be at fault for the accident.

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.

HOUSE
2nd Reading Unamended
March 23, 2006

SENATE
3rd Reading Unamended
February 6, 2006

SENATE
Amended 2nd Reading
February 3, 2006

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

2 **SECTION 1.** 10-16-106.5 (2.5), Colorado Revised Statutes, is
3 amended to read:

4 **10-16-106.5. Prompt payment of claims - legislative**
5 **declaration.** (2.5) (a) This section shall ~~not~~ apply to claims arising
6 ~~under part 6 of article 4 of this title~~ MADE AS A RESULT OF INJURIES
7 SUSTAINED IN A MOTOR VEHICLE ACCIDENT REGARDLESS OF WHETHER
8 FAULT IN SUCH ACCIDENT HAS BEEN DETERMINED. A CARRIER MAY
9 THEREAFTER SEEK REIMBURSEMENT FROM ANY PARTY THAT IS
10 DETERMINED TO BE AT FAULT FOR THE ACCIDENT, TO THE EXTENT OF THAT
11 PARTY'S LIABILITY.

12 (b) FOR THE PURPOSES OF THIS SUBSECTION (2.5), "CARRIER" DOES
13 NOT INCLUDE AN ENTITY PROVIDING REQUIRED COVERAGES PURSUANT TO
14 SECTION 10-4-620.

15 **SECTION 2. Effective date - applicability.** (1) This act shall
16 take effect January 1, 2007.

17 (2) However, if a referendum petition is filed against this act or
18 an item, section, or part of this act during the 90-day period after final
19 adjournment of the general assembly that is allowed for submitting a
20 referendum petition pursuant to article V, section 1 (3) of the state
21 constitution, then the act, item, section, or part, shall not take effect unless
22 approved by the people at a biennial regular general election and shall
23 take effect on the date specified in subsection (1) or on the date of the
24 official declaration of the vote thereon by proclamation of the governor,
25 whichever is later.

1 (3) The provisions of this act shall apply to claims made on or
2 after the applicable effective date of this act.