

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

2001



HOUSE BILL 01-1236

BY REPRESENTATIVE(S) Witwer, Borodkin, Boyd, Coleman, Crane, Fritz, Garcia, Groff, Grossman, Hodge, Jahn, Lawrence, Mace, Miller, Paschall, Plant, Ragsdale, Romanoff, Schultheis, Tapia, Tochtrop, Veiga, Weddig, and Williams S.;
also SENATOR(S) Hanna, Hagedorn, Hernandez, Reeves, Tate, Tupa, and Windels.

CONCERNING A REQUIREMENT FOR THE USE OF THE SAME
PREAUTHORIZATION MECHANISM IN THE DETERMINATION TO PROVIDE
COVERAGE FOR THE TREATMENT OF A BIOLOGICALLY BASED MENTAL
ILLNESS AS IS USED IN THE DETERMINATION TO PROVIDE COVERAGE
FOR ANY OTHER PHYSICAL ILLNESS.

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

SECTION 1. 10-16-104 (5.5) (a) (I), Colorado Revised Statutes, is amended to read:

10-16-104. Mandatory coverage provisions. (5.5) Biologically based mental illness. (a) (I) Every group policy, plan certificate, and contract of a carrier subject to the provisions of part 2, 3, or 4 of this article, except those described in section 10-16-102 (21) (b), shall provide coverage for the treatment of biologically based mental illness that is no less

Capital letters indicate new material added to existing statute; dashes through the words indicate deletions from existing statutes and such material not part of act.

extensive than the coverage provided for any other physical illness. ANY PREAUTHORIZATION OR UTILIZATION REVIEW MECHANISM USED IN THE DETERMINATION TO PROVIDE SUCH COVERAGE SHALL BE THE SAME AS, OR NO MORE RESTRICTIVE THAN, THAT USED IN THE DETERMINATION TO PROVIDE COVERAGE FOR ANY OTHER PHYSICAL ILLNESS. THE COMMISSIONER SHALL ADOPT SUCH RULES AS ARE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBSECTION (5.5). IN PROMULGATING SUCH RULES, THE COMMISSIONER SHALL RECOGNIZE THAT THE SUBSTANCE OF THE MECHANISMS FOR PREAUTHORIZATION OR UTILIZATION REVIEW MAY DIFFER BETWEEN MEDICAL SPECIALITIES AND THAT SUCH MECHANISMS SHALL NOT BE MORE RESTRICTIVE WITH RESPECT TO A COVERED PERSON OR A MENTAL HEALTH PROVIDER FOR A DETERMINATION UNDER THIS SUBPARAGRAPH (I) THAN FOR ANY OTHER PHYSICAL ILLNESS.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item,

section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Stan Matsunaka
PRESIDENT OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO