

SB20-215

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Moreno

1 Amend printed bill, page 4, strike lines 21 and 22 and substitute "INSURED
2 AND UNINSURED STATUS;".

3 Page 4, after line 25 insert:

4 "(V) CREATING A HEALTHIER RISK POOL FOR ALL CARRIERS BY
5 ESTABLISHING A PATH FOR CONSISTENT COVERAGE FOR INDIVIDUALS;
6 AND".

7 Page 5, line 1, strike "INCREASING HOSPITAL REVENUES BY REDUCING"
8 and substitute "REDUCING".

9 Page 5, line 2, strike "AND".

10 Page 5, line 4, strike "PAYERS." and substitute "PAYERS; AND

11 (III) EXPANDING ACCESS TO HIGH-QUALITY, AFFORDABLE HEALTH
12 CARE FOR LOW-INCOME AND UNINSURED COLORADANS.

13 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT,
14 CONSISTENT WITH THE DETERMINATION OF THE COLORADO SUPREME
15 COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896 P.2d 859
16 (COLO. 1995), THE POWER TO IMPOSE TAXES IS INCONSISTENT WITH
17 ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE X OF THE STATE
18 CONSTITUTION, AND THE HEALTH INSURANCE AFFORDABILITY FEES AND
19 SPECIAL ASSESSMENTS CHARGED AND COLLECTED BY THE HEALTH
20 INSURANCE AFFORDABILITY ENTERPRISE ARE FEES, NOT TAXES, BECAUSE
21 THE FEES AND ASSESSMENTS ARE IMPOSED FOR THE SPECIFIC PURPOSE OF
22 ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE
23 BUSINESS SERVICES SPECIFIED IN SECTION 10-16-1204 (1)(a) TO THE
24 CARRIERS AND HOSPITALS THAT PAY THE FEES AND ASSESSMENTS AND ARE
25 COLLECTED AT RATES THAT ARE REASONABLY CALCULATED BASED ON THE
26 BENEFITS RECEIVED BY THOSE CARRIERS AND HOSPITALS."

27 Page 6, after line 14 insert:

28 "(a) IS A COLORADO RESIDENT;".

29 Reletter succeeding paragraphs accordingly.

30 Page 7, lines 24 and 25, strike "BETWEEN GROUP AND INDIVIDUAL
31 COVERAGE AND".

- 1 Page 7, line 27, strike the second "AND".
- 2 Page 7, after line 27 insert:
- 3 "(F) CREATING A HEALTHIER RISK POOL FOR ALL CARRIERS BY
4 ESTABLISHING A PATH FOR CONSISTENT COVERAGE FOR INDIVIDUALS;
5 AND".
- 6 Page 8, line 2, strike "INCREASING HOSPITAL REVENUES BY REDUCING"
7 and substitute "REDUCING".
- 8 Page 8, line 3, strike "AND".
- 9 Page 8, line 5, strike "PAYERS." and substitute "PAYERS; AND
10 (C) EXPANDING ACCESS TO HIGH-QUALITY, AFFORDABLE HEALTH
11 CARE FOR LOW-INCOME AND UNINSURED COLORADANS.".
- 12 Page 8, strike lines 15 through 17 and substitute:
- 13 "(II) THE".
- 14 Page 9, line 3, after "(e)" insert "(I)".
- 15 Page 9, line 4, strike "CONTRACTORS, CONSULTANTS, AND LEGAL
16 COUNSEL" and substitute "CONTRACTORS AND CONSULTANTS, INCLUDING
17 THE DIVISION,".
- 18 Page 9, line 6, strike "ENTERPRISE;" and substitute "ENTERPRISE, WITHOUT
19 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE
20 24. THE ENTERPRISE SHALL ENCOURAGE DIVERSITY IN APPLICATIONS FOR
21 CONTRACTS AND SHALL GENERALLY AVOID USING SINGLE-SOURCE BIDS.
22 (II) THE DIVISION SHALL PROVIDE OFFICE SPACE AND
23 ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT TO A CONTRACT
24 ENTERED INTO UNDER THIS SUBSECTION (2)(e).".
- 25 Page 9, after line 11 insert:
- 26 "(3) THE ENTERPRISE SHALL EXERCISE ITS POWERS AND PERFORM
27 ITS DUTIES AS IF THE SAME WERE TRANSFERRED TO THE DIVISION BY A
28 **TYPE 2 TRANSFER**, AS DEFINED IN SECTION 24-1-105.".
- 29 Page 10, line 13, strike "AND THE DIVISION".

- 1 Page 10, lines 16 and 17, strike "ENTERPRISE AND THE DIVISION," and
2 substitute "ENTERPRISE,".
- 3 Page 10, line 19, strike "AND DIVISION'S".
- 4 Page 12, line 1, strike "MEET THE STATE SHARE" and substitute "FUND THE
5 PAYMENT PARAMETERS".
- 6 Page 15, line 25, strike "AND".
- 7 Page 15, after line 25 insert:
- 8 "(d) THE REVENUE COLLECTED FROM REVENUE BONDS ISSUED
9 PURSUANT TO SECTION 10-16-1204 (1)(b)(II); AND".
- 10 Reletter succeeding paragraph accordingly.
- 11 Page 17, strike line 14 and substitute:
- 12 "(b) TO THE EXTENT POSSIBLE, THE GOVERNOR SHALL ATTEMPT TO
13 APPOINT BOARD MEMBERS WHO REFLECT THE DIVERSITY".
- 14 Page 21, line 13, strike "the" and substitute "~~the~~ A".
- 15 Page 21, strike lines 14 and 15 and substitute "AN EXTENSION OF A STATE
16 INNOVATION WAIVER, or A federal funding request submitted by the".
- 17 Page 22, strike line 5 and substitute:
- 18 "(c) If ~~the~~ A state innovation waiver, AN EXTENSION OF A STATE
19 INNOVATION WAIVER,".
- 20 Page 22, line 6, strike "THE" and substitute "A".
- 21 Page 27, line 4, strike "(4)(a)(III)(C)" and substitute "(4)(a)(III)(B)".
- 22 Page 27, strike lines 6 and 7 and substitute "2023 THE AMOUNT OF
23 PREMIUM TAXES DEPOSITED IN THE HEALTH".
- 24 Page 27, line 16, strike "(4)(a)(III)(C)." and substitute "(4)(a)(III)(B).".

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