

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB22-1008 be amended as follows:

1 Amend printed bill, page 2, strike lines 6 through 17 and substitute
2 "**services.** (f) (I) ~~Within one hundred twenty days after April 1, 2020, the~~
3 ~~division shall submit to the federal department of health and human~~
4 ~~services its determination as to whether the coverage specified in this~~
5 ~~subsection (23) is in addition to essential health benefits and would be~~
6 ~~subject to defrayal by the state pursuant to 42 U.S.C. sec. 18031(d)(3)(B)~~
7 ~~and a request that the federal department confirm the division's~~
8 ~~determination within sixty days after receipt of the division's request and~~
9 ~~submission of its determination~~ THIS SUBSECTION (23) APPLIES TO, AND
10 THE DIVISION SHALL IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION
11 (23) FOR, LARGE EMPLOYER HEALTH BENEFIT PLANS ISSUED OR RENEWED
12 IN THIS STATE ON OR AFTER JANUARY 1, 2023.

13 (II) This subsection (23) applies to, AND THE DIVISION SHALL
14 IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION (23) FOR,
15 INDIVIDUAL AND SMALL GROUP health benefit plans issued or renewed in
16 this state ~~that are subject to this subsection (23), and the division shall~~
17 ~~implement the requirements of this subsection (23), if:~~

18 ~~(A) The division receives confirmation from~~ TWELVE MONTHS
19 AFTER the federal department of health and human services DETERMINES
20 that the coverage specified in this subsection (23) does not constitute an
21 additional benefit that requires defrayal by the state pursuant to 42 U.S.C.
22 sec. 18031 (d)(3)(B). ~~or~~

23 ~~(B) More than three hundred sixty-five days have passed since the~~
24 ~~division submitted its determination and request for confirmation that the~~
25 ~~coverage specified in this subsection (23) is not an additional benefit that~~
26 ~~requires state defrayal pursuant to 42 U.S.C. sec. 18031(d)(3)(B), and the~~
27 ~~federal department of health and human services has failed to respond to~~
28 ~~the request within that period, in which case the division shall consider~~
29 ~~the federal department's unreasonable delay a preclusion from requiring~~
30 ~~defrayal by the state."~~

31 Page 3, strike lines 1 through 24.

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