

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB25B-1006 be amended as follows:

1 Amend printed bill, page 8, line 5, strike "10-16-1209" and substitute  
2 "10-16-1209, 10-16-1210, and 10-16-1211".

3 Page 9, after line 9 insert:

4 **"10-16-1210. Regulatory agenda - division review of regulation**  
5 **- repeal.** (1) (a) THE DIVISION SHALL CONDUCT A REVIEW OF REGULATION  
6 4-2-76, CONCERNING THE HEALTH INSURANCE AFFORDABILITY FEE  
7 ASSESSMENT AND COLLECTION PROCESS, CODIFIED IN 3 CCR 702-4, IN  
8 ACCORDANCE WITH SECTION 24-4-103.3. THE DEPARTMENT OF  
9 REGULATORY AGENCIES SHALL INCLUDE THE DIVISION'S REVIEW OF  
10 REGULATION 4-2-76 IN ITS DEPARTMENTAL REGULATORY AGENDA THAT  
11 THE DEPARTMENT SUBMITS TO THE STAFF OF THE LEGISLATIVE COUNCIL IN  
12 ACCORDANCE WITH SECTION 2-7-203 (4) BY NOVEMBER 1, 2026. THE  
13 HEALTH AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF  
14 REPRESENTATIVES AND THE SENATE ARE THE APPLICABLE COMMITTEES OF  
15 REFERENCE TO WHICH THE STAFF OF THE LEGISLATIVE COUNCIL SHALL  
16 DISTRIBUTE THE REVIEW OF REGULATION 4-2-76.

17 (b) THE DIVISION SHALL MAKE A PRESENTATION OF ITS REVIEW, AS  
18 PART OF THE DEPARTMENTAL PRESENTATIONS TO THE COMMITTEES IN  
19 ACCORDANCE WITH SECTION 2-7-203, IN THE 2027 REGULAR LEGISLATIVE  
20 SESSION.

21 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

22 **10-16-1211. Performance audit of the enterprise - repeal.**

23 (1) DURING THE 2027 CALENDAR YEAR, THE STATE AUDITOR SHALL  
24 CONDUCT A PERFORMANCE AUDIT OF THE ENTERPRISE. IN CONDUCTING  
25 THE AUDIT, THE STATE AUDITOR SHALL:

26 (a) DETERMINE WHETHER THE ENTERPRISE IS IN COMPLIANCE WITH  
27 THIS PART 12 AND ITS PURPOSE AS SPECIFIED IN THIS PART 12;

28 (b) SPECIFY, FOR EACH YEAR SINCE THE CREATION OF THE  
29 ENTERPRISE:

30 (I) THE ANNUAL REVENUE DEPOSITED IN THE FUND FROM:

31 (A) THE FEE COLLECTED FROM CARRIERS PURSUANT TO SECTION  
32 10-16-1205 (1)(a)(I);

33 (B) THE SPECIAL ASSESSMENTS COLLECTED FROM HOSPITALS  
34 PURSUANT TO SECTION 10-16-1205 (1)(a)(II);

35 (C) PREMIUM TAX REVENUES DEPOSITED IN THE FUND PURSUANT  
36 TO SECTION 10-3-209 (4)(a)(III) BEFORE ITS REPEAL ON JULY 1, 2025;

37 (D) MONEY ALLOCATED TO THE FUND PURSUANT TO SECTION  
38 10-16-1308;

39 (E) THE FEDERAL SHARE OF THE MEDICAL ASSISTANCE PAYMENTS

1 RECEIVED PURSUANT TO SECTION 25.5-4-503 (2);  
2 (F) ANY REVENUE COLLECTED FROM REVENUE BONDS PURSUANT  
3 TO SECTION 10-16-1204 (1)(b)(II);  
4 (G) INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND  
5 INVESTMENT OF MONEY IN THE FUND; AND  
6 (H) ANY GIFTS, GRANTS, OR DONATIONS RECEIVED FROM PRIVATE  
7 OR PUBLIC SOURCES;  
8 (II) THE ANNUAL EXPENDITURES FROM THE FUND FOR THE  
9 PURPOSES SPECIFIED IN SECTION 10-16-1205 (1)(b), INDICATING THE  
10 AMOUNTS EXPENDED IN EACH YEAR FOR EACH OF THE FOLLOWING  
11 PURPOSES AND THE AMOUNT OF SUCH EXPENDITURES THAT WAS PAID  
12 FROM REVENUES DESCRIBED IN SUBSECTIONS (1)(b)(I)(D) AND (1)(b)(I)(E)  
13 OF THIS SECTION:  
14 (A) TO PROVIDE FUNDING FOR THE REINSURANCE PROGRAM;  
15 (B) TO PROVIDE PAYMENTS TO CARRIERS TO INCREASE THE  
16 AFFORDABILITY OF HEALTH INSURANCE ON THE INDIVIDUAL MARKET FOR  
17 COLORADANS WHO RECEIVE THE PREMIUM TAX CREDIT;  
18 (C) TO PROVIDE SUBSIDIES FOR STATE-SUBSIDIZED INDIVIDUAL  
19 HEALTH COVERAGE PLANS PURCHASED BY QUALIFIED INDIVIDUALS;  
20 (D) TO PAY THE ENTERPRISE'S ACTUAL ADMINISTRATIVE COSTS TO  
21 IMPLEMENT AND ADMINISTER THIS PART 12; AND  
22 (E) TO PAY THE COSTS OF CONSUMER ENROLLMENT, OUTREACH,  
23 AND EDUCATION ACTIVITIES REGARDING HEALTH-CARE COVERAGE; AND  
24 (III) THE AMOUNT OF REVENUES ALLOCATED OR OTHERWISE  
25 DESIGNATED FOR A PURPOSE SPECIFIED IN SECTION 10-16-1205 (1)(b)  
26 THAT THE ENTERPRISE DID NOT ENCUMBER OR EXPEND;  
27 (c) WITH REGARD TO THE ALLOCATION OF REVENUES TO THE  
28 REINSURANCE PROGRAM:  
29 (I) DETERMINE, FOR EACH YEAR SINCE THE ENTERPRISE  
30 COLLECTED OR RECEIVED REVENUES, WHETHER THE ENTERPRISE  
31 ALLOCATED TO THE REINSURANCE PROGRAM CASH FUND THE MAXIMUM  
32 ALLOWABLE AMOUNT OF REVENUES AS SPECIFIED IN SECTION 10-16-1205  
33 (2); AND  
34 (II) FOR ANY YEAR IN WHICH THE ENTERPRISE DID NOT ALLOCATE  
35 THE MAXIMUM ALLOWABLE AMOUNT OF REVENUES TO THE REINSURANCE  
36 PROGRAM, ANALYZE:  
37 (A) THE ENTERPRISE'S AND THE DIVISION'S RATIONALE FOR NOT  
38 ALLOCATING THE MAXIMUM ALLOWABLE AMOUNT OF REVENUES TO THE  
39 REINSURANCE PROGRAM; AND  
40 (B) THE IMPACT OF THAT DECISION ON THE AFFORDABILITY RELIEF  
41 PROVIDED TO CONSUMERS IN THE INDIVIDUAL MARKET AND THE ABILITY  
42 OF THE ENTERPRISE TO FUND OTHER PROGRAMS AUTHORIZED IN THIS PART  
43 12;

1           (d) DETERMINE WHETHER THE ENTERPRISE'S CURRENT AND  
2 PROJECTED REVENUES ARE SUFFICIENT FOR THE ENTERPRISE TO  
3 EFFICIENTLY AND EFFECTIVELY FULFILL ITS DUTIES AND RESPONSIBILITIES  
4 AS SPECIFIED IN THIS PART 12; AND  
5           (e) DETERMINE THE SIGNIFICANCE OF FEDERAL FUNDING ON THE  
6 ABILITY OF THE ENTERPRISE TO EFFICIENTLY AND EFFECTIVELY FULFILL ITS  
7 DUTIES AND RESPONSIBILITIES AS SPECIFIED IN THIS PART 12.  
8           (2) UPON COMPLETION OF THE PERFORMANCE AUDIT REQUIRED BY  
9 SUBSECTION (1) OF THIS SECTION, THE STATE AUDITOR SHALL SUBMIT A  
10 WRITTEN REPORT ABOUT THE PERFORMANCE AUDIT TO THE LEGISLATIVE  
11 AUDIT COMMITTEE AND TO THE HEALTH AND HUMAN SERVICES  
12 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.  
13           (3) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2028."

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