

NOTE: This bill has been prepared for the signatures 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.

An Act

HOUSE BILL 25-1033

BY REPRESENTATIVE(S) Lieder and Garcia Sander, Bacon, Bird, Brown, Carter, Duran, Hamrick, Joseph, Lindsay, Marshall, Paschal, Phillips, Stewart R., Titone, Woodrow;
also SENATOR(S) Weissman, Amabile, Bridges, Cutter, Daugherty, Exum, Gonzales J., Hinrichsen, Jodeh, Kipp, Michaelson Jenet, Mullica, Coleman.

CONCERNING MEDICAL ASSISTANCE THIRD-PARTY LIABILITY PAYMENTS.

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

SECTION 1. In Colorado Revised Statutes, 25.5-4-209, **amend** (2)(b)(III), (2)(b)(IV) introductory portion, and (2)(b)(IV)(B); and **add** (2)(b)(V) as follows:

25.5-4-209. Payments by third parties - copayments by members - review - appeal - children's waiting list reduction fund - rules.
(2) (b) A third party, as a condition of doing business in the state, shall:

(III) ~~Respond to any inquiry by the state~~ **NO LATER THAN SIXTY DAYS FOLLOWING THE RECEIPT OF AN INQUIRY BY THE STATE DEPARTMENT regarding a claim for payment for any health-care item or service that is submitted not** NO later than three years after the date of the provision of the

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

health-care item or ~~service~~, and SERVICE, RESPOND BY EITHER PAYING THE CLAIM OR ISSUING A WRITTEN DENIAL TO THE STATE DEPARTMENT;

(IV) Agree not to deny a claim submitted by the state DEPARTMENT solely on the basis of the date of submission of the claim, the type or format of the claim form, or a failure to present proper documentation at the point of sale that is the basis of the claim, if:

(B) Any action by the state DEPARTMENT to enforce its rights with respect to the claim is commenced within six years after the ~~state's~~ STATE DEPARTMENT'S submission of the claim; AND

(V) ACCEPT THE STATE DEPARTMENT'S PAYMENT OF A CLAIM FOR A HEALTH-CARE ITEM OR SERVICE TO BE THE EQUIVALENT OF THE HEALTH-CARE PROVIDER OR THE MEMBER HAVING OBTAINED PRIOR AUTHORIZATION FOR THE ITEM OR SERVICE FROM THE THIRD PARTY.

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO