

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Soper

1 Amend the Health and Insurance Committee Report, page 1, line 3, after  
2 "(3)(a)" insert "(10); and **add** (15)";

3 Page 1 of the report, strike line 18 and substitute "1.52.

4 (10) "Medical inflation" means the annual percentage change in  
5 the medical care index component of the United States department of  
6 labor's bureau of labor statistics consumer price index for medical care  
7 services and medical care commodities, or its applicable predecessor or  
8 successor index, based on the average ~~change in the medical care index~~  
9 ~~over the previous ten years~~ RATE OF THE SECOND HALF OF THE PRIOR  
10 YEAR.

11 (15) "UTILIZATION TREND" MEANS THE ESTIMATED CHANGE IN  
12 UTILIZATION OF A SERVICE BASED ON ACTUARIALLY SOUND  
13 PROJECTIONS."."

14 Page 1 of the report, after line 19, insert:

15 "Page 2 of the bill, before line 12, insert:

16 **"SECTION 3.** In Colorado Revised Statutes, 10-16-1305, **amend**  
17 **(2)** as follows:

18 **10-16-1305. Standardized health benefit plan - carriers**  
19 **required to offer - premium rates - rules.** (2) (a) (I) In the individual  
20 market, for the plan year beginning January 1, 2023, and in the small  
21 group market, beginning January 1, 2023, each carrier shall offer the  
22 standardized plan at a premium rate that is at least five percent less than  
23 the premium rate for health benefit plans that the carrier offered in the  
24 2021 calendar year, as adjusted for medical inflation AND UTILIZATION  
25 TREND, in the individual and small group markets. The commissioner  
26 shall calculate the premium rate reduction based on the rates charged in  
27 the same county in which the carrier offered health benefit plans in the  
28 individual and small group markets in 2021 prior to the application of the  
29 Colorado reinsurance program pursuant to part 11 of this article 16.

30 (II) For carriers offering the standardized plan in the 2023 plan  
31 year in a county in which the carrier did not offer a health benefit plan in  
32 the individual or small group market in the 2021 calendar year, each  
33 carrier that offers the standardized plan shall offer the standardized plan:

34 (A) In the individual market at a premium rate that is at least five  
35 percent less than the average premium rate for individual health benefit  
36 plans offered in that county in 2021, calculated based on the average

1 premium rate for individual health benefit plans offered in that county, as  
2 adjusted for medical inflation AND UTILIZATION TREND, prior to the  
3 application of the Colorado reinsurance program pursuant to part 11 of  
4 this article 16; and

5 (B) In the small group market at a premium rate that is at least five  
6 percent less than the average premium rate for small group plans offered  
7 in that county in 2021, as adjusted for medical inflation AND UTILIZATION  
8 TREND.

9 (b) (I) In the individual market, for the plan year beginning  
10 January 1, 2024, and in the small group market, beginning January 1,  
11 2024, each carrier shall offer the standardized plan at a premium rate that  
12 is at least ten percent less than the premium rate for health benefit plans  
13 that the carrier offered in the 2021 calendar year, as adjusted for medical  
14 inflation AND UTILIZATION TREND, in the individual and small group  
15 markets. The commissioner shall calculate the premium rate reduction  
16 based on the rates charged in the same county in which the carrier offered  
17 health benefit plans in the individual and small group markets in 2021  
18 prior to the application of the Colorado reinsurance program pursuant to  
19 part 11 of this article 16.

20 (II) For carriers offering the standardized plan in the 2024 plan  
21 year in a county in which the carrier did not offer a health benefit plan in  
22 the individual or small group market in the 2021 calendar year, each  
23 carrier that offers the standardized plan shall offer the standardized plan:

24 (A) In the individual market at a premium rate that is at least ten  
25 percent less than the average premium rate for individual plans offered in  
26 that county in 2021, calculated based on the average premium rate for  
27 individual plans offered in that county, as adjusted for medical inflation  
28 AND UTILIZATION TREND, prior to the application of the Colorado  
29 reinsurance program pursuant to part 11 of this article 16; and

30 (B) In the small group market at a premium rate that is at least ten  
31 percent less than the average premium rate for small group plans offered  
32 in that county in 2021, as adjusted for medical inflation AND UTILIZATION  
33 TREND.

34 (c) (I) In the individual market, for the plan year beginning  
35 January 1, 2025, and in the small group market, beginning January 1,  
36 2025, each carrier shall offer the standardized plan at a premium rate that  
37 is at least fifteen percent less than the premium rate for health benefit  
38 plans that the carrier offered in the 2021 calendar year, as adjusted for  
39 medical inflation AND UTILIZATION TREND, in the individual and small  
40 group markets. The commissioner shall calculate the premium rate  
41 reduction based on the rates charged in the same county in which the  
42 carrier offered health benefit plans in the individual and small group  
43 markets in 2021 prior to the application of the Colorado reinsurance

1 program pursuant to part 11 of this article 16.  
2 (II) For carriers offering the standardized plan in the 2025 plan  
3 year in a county in which the carrier did not offer a health benefit plan in  
4 the individual or small group market in the 2021 calendar year, each  
5 carrier that offers the standardized plan shall offer the standardized plan:  
6 (A) In the individual market at a premium rate that is at least  
7 fifteen percent less than the average premium rate for individual plans  
8 offered in that county in 2021, calculated based on the average premium  
9 rate for individual plans offered in that county, as adjusted for medical  
10 inflation AND UTILIZATION TREND, prior to the application of the Colorado  
11 reinsurance program pursuant to part 11 of this article 16; and  
12 (B) In the small group market at a premium rate that is at least  
13 fifteen percent less than the average premium rate for small group plans  
14 offered in that county in 2021, as adjusted for medical inflation AND  
15 UTILIZATION TREND.  
16 (d) For the plan year beginning on or after January 1, 2026, and  
17 each year thereafter, each carrier and health-care coverage cooperative  
18 shall limit any annual percentage increase in the premium rate for the  
19 standardized plan in both the individual and small group markets to a rate  
20 that is no more than medical inflation AND UTILIZATION TREND, relative  
21 to the previous year."  
22 Renumber succeeding sections accordingly."

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