





ABOUT US

CCHI is a nonprofit, consumer-oriented. membership-based, health advocacy organization that serves Coloradans whose access to health care and financial security are compromised by structural barriers. affordability, poor benefits, or unfair business practices of the health care industry.

MISSION

CCHI advances the consumer voice to improve access to health care for all Coloradans by working statewide for progress toward equity, access, affordability, and quality.

VISION

All Coloradans have equitable access to affordable, highquality health care.

2019 Legislative **Overview**

Despite the biggest headlines of this legislative session—oil and gas regulations, full-day kindergarten funding, comprehensive sex education, and new gun laws-it was still a big year for health care. CCHI took advantage of the numerous opportunities to advance the consumer voice by influencing and advocating for reform across the entire health care system. While we prioritized bills to end surprise medical bills from out-of-network providers (HB19-1174) and create a state health coverage option for Coloradans (HB19-1004), we also worked on numerous other health care proposals related to our mission and vision.

Importantly, CCHI worked on a number of bills with our partner and member organizations to lower the cost of insurance premiums through reinsurance (HB19-1168), promote primary care payment system reform (HB19-1233), cap the cost of insulin to insured consumers (HB19-1216), enforce parity in coverage for behavioral health care (HB19-1269), and ensure nonprofit hospitals are accountable to their communities (HB19-1320). These bills were used to calculate CCHI's score for our Colorado legislators.

In total, we took positions on 56 bills this session, aimed at making it easier and more affordable for Colorado consumers to access health care. We also supported a number of proposals aimed at breaking down upstream barriers, specifically new housing policies as housing is a primary social determinant of health. Below, we summarize legislation that addresses insurance coverage and affordability, reduction of underlying health care costs—such as prescription drugs, financial security and consumer protections, and advancing health equity.

The concerted efforts of CCHI staff and members throughout the session paid off with numerous wins for consumers to celebrate upon adjournment of the first regular session of the 72nd Colorado General Assembly.



2019 Legislative Session

By the Numbers





552 emails sent to legislators



testified 44 times



41 letters, story sheets, and written testimony submitted to legislators



102 consumers at the capitol for Health Care Day of Action



42 media publications for news stories, TV, and radio on our priority proposals









Costs, Coverage, and **Affordability**

We know that far too many Coloradans worry about the ability to afford and access needed health care. Furthermore, consumers are often left with very few options because the cost of insurance is high, access to care is limited in rural areas, and, sometimes, disparities in plan benefit design make access to the right care hard to find. Fortunately, Colorado state legislators made significant strides towards surmounting these challenges during the 2019 legislative session. These important bills will help to provide critical access to mental and physical health care services and make coverage for those services more affordable for Colorado families.

Kev Bills



HB19-1004 Proposal for Affordable **Health Coverage Option**

Rep. Roberts and Rep. Catlin | Sen. Donovan Pro-consumer vote YES | Status Passed

A public health insurance option is a health coverage plan the state creates utilizing state infrastructure and purchasing power to provide a lower cost option. This bill directs the state to develop a proposal for a public option for the individual market and authorizes the state to apply for necessary permission from the federal government to do so.



HB19-1233 Investments in Primary Care to Reduce Health Costs

Rep. Froelich and Rep. Caraveo | Sen. Ginal and

Pro-consumer vote YES | Status Passed

Premiums are inextricably linked to the cost of care and, in order to make coverage affordable, it is imperative to incentivize high-value care, like primary care. This bill directs more health care investment in primary care and directs the Division of Insurance to ensure compliance through the rate review process.



HB19-1269 Mental Health Parity Insurance Medicaid

Rep. Cutter and Rep. Sullivan | Sen. Ginal and Sen.

Pro-consumer vote YES | Status Passed

Although mental health parity has been state and federally mandated for some time, there are ongoing disparities between access to physical and behavioral health care. This bill requires insurers to prove compliance with these existing parity laws and justify the treatment standards and payment rates for behavioral health care providers.



SB19-004 Address High-cost Health **Insurance Pilot Program**

Sen. Donovan | Rep. Roberts and Rep. McCluskie Pro-consumer vote YES | Status Passed

In order to reflect new initiatives already underway in some Colorado mountain communities, this bill modifies the health care cooperatives laws to allow consumers and businesses to collectively negotiate rates directly with providers, absent a third-party payer. It also protects consumers through coverage and benefit standards.

Reinsurance

HB19-1168 State Innovation Waiver Reinsurance Program Rep. McCluskie and Rep. Rich | Sen. Donovan and Sen. Rankin

Pro-consumer vote YES | Status Passed

While the state works toward long-term solutions, there is an immediate need to reduce individual market premiums for those struggling to afford them now. As one of Governor Polis' health care priorities, this bill seeks to establish a reinsurance program in Colorado and permits the state to seek permission from the federal government to do so. A reinsurance program will assist insurance companies in paying for very high-cost claims, resulting in premium reductions for everyone. This bill saw several different forms and ultimately passed with a funding mechanism dependent, in part, on the passage of a tobacco tax increase initiative and other legislatively imposed revenue increase.

Prescription Drugs

In recent years, prescription drug companies have been the subject of intense scrutiny—and for good reason. Rapidly increasing drug prices, a complex supply chain, and the amount health insurance companies charge patients all cause significant financial stress for consumers. In fact, 28% of survey respondents in a January 2019 poll of Coloradans reported not filling a prescription or cutting pills in half in the prior 12 months due to concerns about cost. Furthermore, the high costs of prescription drugs used for the treatment of asthma and diabetes disproportionately affect communities of color, as they often face higher rates of these chronic conditions. To this end, the 2019 legislative session brought the following proposals to increase transparency and accountability in drug pricing and address costs for consumers.

Kev Bills



HB19-1077 Pharmacist Dispense Drug Without **Prescription in Emergency**

Rep. Roberts | Sen. Pettersen and Sen. Tate

Pro-consumer vote YES | Status Signed by Governor 3/21/19

Based on a wave of similar bills passed around the country, "Kevin's Law" allows a pharmacist to dispense an emergency supply of a chronic maintenance drug to a patient without a prescription. This bill expands critical access to life-saving medications in times of emergency.



HB19-1131 Prescription Drug Cost Education

Rep. Jacquez Lewis | Sen. Winter

Pro-consumer vote YES | Status Passed

This bill requires agents of drug companies to include the wholesale acquisition cost of their drug, and other drugs in the same therapeutic class, when they are sharing information about their drug to prescribers.



HB19-1216 Reduce Insulin Prices

Rep. Roberts | Sen. Donovan and Sen. Priola

Pro-consumer vote YES | Status Passed

Insulin is a life saving drug and one that has increased in price more rapidly than many others. This bill sets a monthly cap on cost-sharing for insulin drugs at \$100 per month. This bill also gives authority to the Attorney General to investigate insulin drug pricing.



HB19-1296 Prescription Drug Cost Reduction **Measures**

Rep. Jackson and Rep. Jaquez Lewis | Sen. Donovan and Sen. Ginal

Pro-consumer vote YES | Status Died 5/3

As consumers continue to wonder why their drug costs keep rising, legislators are asking for answers. This bill would have required drug manufacturers who increased the price of a drug above a certain threshold to report information to the Division of Insurance explaining why the price increased.

Drug **Importation**

SB19-005 Import **Prescription Drugs** from Canada

Sen. Rodriguez and Sen. Ginal | Rep. Jacquez Lewis

Pro-consumer vote YES Status Passed

Under mounting public pressure to address the increasing costs of prescription drugs, the Colorado legislature is among a handful of states to create a plan to import drugs from Canada. Another one of Governor Polis' health care priorities, this bill seeks federal approval for a wholesale importation program to lower costs for Colorado consumers. Under this proposal, the Department of Health Care Policy and Financing oversees and designs the request for permission from the federal government and also works to create a process to ensure the imported drugs are held to the same safety standards outlined under the federal Food and Drug Administration.

Financial Security

The continued challenge accessing and affording health care is causing financial stress for Colorado families and impacting their ability to live their healthiest lives. Additionally, an estimated 30% of medical debt sent to collections were for bills consumers were not obligated to pay. This is in large part due to surprise out-of-network medical bills where consumers are balance billed for amounts left over when their insurance company doesn't cover the entire cost of care. Because medical debt and inadequate meaningful consumer protections have such a profound impact on consumers' financial stability, CCHI prioritized the following bills.



HB19-1010 Freestanding Emergency Department Licensure

Rep. Landgraf and Rep. Mullica | Sen. Gardner and Sen. Pettersen Pro-consumer vote YES | Status Passed

After several years addressing issues with freestanding emergency departments (FSEDs), this bill is the final step in protecting consumers at FSEDs. The bill creates a new license type for FSEDs, separate and distinct from hospitals and clinics.



HB19-1089 Exemption from **Garnishment for Medical Debt**

Rep. Tipper and Rep. A. Valdez | Sen. Moreno and Sen. Pettersen

Pro-consumer vote YES | Status Postponed **Indefinitely 2/4/19**

This bill would have protected consumers making under 400% of the federal poverty guidelines from wage garnishment resulting from a medical debt judgment against them.



HB19-1145 Primary Residence **Exempt Liens for Medical Debt** Rep. Tipper and Rep. Jacquez Lewis Pro-consumer vote YES | Status Postponed

This bill would have increased the amount of equity protected by the Homestead Exemption for a consumer's primary place of residence when the cause of the judgment lien was medical debt.



HB19-1150 Recreate Consumer **Insurance Council** Rep. Titone | Sen. Danielson Pro-consumer vote YES | Status Signed by **Governor 4/16/19**

After sunsetting in 2018, this bill recreates the consumer insurance council within the Division of Insurance to continue its work of advising the insurance commissioner on issues related to consumer experiences with insurance.

Surprise Out-Of-Network Billing

SB19-134 Out-of-Network Health Care **Disclosures and Charges**

Sen. Fields and Sen. Tate | Rep. Soper **Pro-consumer vote**

This bill would have created some consumer protections for out of network billing situations, and set a benchmark for out of network provider reimbursement that exceed some rates currently being paid, with the potential to raise premiums and out of pocket costs for consumers.

HB19-1174 Out-of-Network Health **Care Services**

Rep. Catlin and Rep. Esgar | Sen. Gardner and Sen. Pettersen

Pro-consumer vote | Status

Arguably one of the most contentious health care payment rate for out-of-network providers and hospitals in certain situations, and requires of a provider or hospital.

Social Determinants and **Health Equity**

In order to improve the health of the people of Colorado, we must address structural barriers that create health disparities, and improve the conditions in which people are born, grow, live, and work. CCHI is committed to supporting policies that better address social determinants of health, alongside issues of access and affordability. The following bills aim to equip the state with a better understanding of community needs and enable targeted investment in health equity.

Tobacco Tax

HB19-1333 Cigarette **Tobacco & Nicotine Products Tax**

Rep. Caraveo | Sen. Fields **Pro-consumer vote YES** Status Died in Senate

This bill would have referred a measure to the statewide ballot in 2019 to increase the tax levied on tobacco products, attempt to curb youth nicotine product usage, and appropriate a portion of the generated revenue to efforts to make health care more affordable and accessible. Specifically, a portion of the revenue generated from this referred measure would have been used to fund a reinsurance program for the individual health insurance market, if the waiver is approved.



Key Bills



HB19-1184 Demographic Notes for Certain **Legislative Bills**

Rep. Herod and Rep. Caraveo | Sen. Williams Pro-consumer vote YES | Status Passed

This bill requires the legislative council staff to prepare demographic notes on legislative bills to outline their potential impacts on disparities, like race, socioeconomic status, and gender identity, within the state



HB19-1223 Social Security Disability **Application Assistance**

Rep. Larson and Rep. Michaelson Jenet | Sen. Winter Pro-consumer vote YES | Status Passed

This bill creates a state-funded program to help people with disabilities that currently participate in the Aid to the Needy Disabled program apply for federal disability benefits, including supplemental security income and social security disability insurance.



HB19-1320 Hospital Community Benefit Accountability

Rep. Kennedy and Rep. Lontine | Sen. Winter Pro-consumer vote YES | Status Passed

This bill builds on federal reporting requirements for nonprofit hospitals to better incentivize community priorities and social determinants of health in community benefits programs. It also encourages forprofit hospitals to undertake similar reporting.



SB19-188 FAMLI Family Medical Leave **Insurance Program**

Sen. Williams and Sen. Winter | Rep. Duran and Rep. Gray Pro-consumer vote YES | Status Pa

Originally, this bill sought to create a paid family and medical leave program in Colorado. After much debate, the final bill creates a study of the implementation of a paid family and medical leave program in the state.

Scorecard

Bills We Scored

HB19-1004 Proposal for Affordable **Health Coverage**

This bill directs the state to develop a proposal for a public option for the individual market and authorizes the state to apply for necessary permission **Option** from the federal government to do so.

Reinsurance

HB19-1168 State This bill seeks to establish a Innovation Waiver reinsurance program in Colorado and permits the state to seek permission from the federal government to do so. **Program** A reinsurance program will assist insurance companies in paying for very high-cost claims, resulting in premium reductions for everyone.

Network Health Care Services

HB19-1174 Out-of- This bill prohibits surprise out-ofnetwork medical bills, sets a reimbursement payment rate for outof-network providers and hospitals in certain situations, and requires disclosure to consumer about the network status of a provider or hospital.

Insulin Prices

HB19-1216 Reduce This bill sets a monthly cap on costsharing for insulin drugs at \$100 per month and gives authority to the Attorney General to investigate insulin drug pricing.

Primary Care to Reduce **Health Costs**

HB19-1233 This bill directs more health care Investments in investment through payment reform in primary care and the DOI to ensure compliance through the rate review process.

Health Parity Insurance Medicaid

HB19-1269 Mental This bill requires insurers to prove compliance with existing parity laws and justify the treatment standards and payment rates for behavioral health care providers.

Community Benefit Accountability

HB19-1320 Hospital This bill builds on federal reporting requirements for nonprofit hospitals to better incentivize community priorities and addressing social determinants of health in community benefits program.

What is the purpose of this scorecard?

The purpose of this scorecard is to inform CCHI's members, supporters, partners, and the public where our Colorado legislators stand when it comes to health care issues that affect consumers. While many policies are introduced to bring about change in our health care system each year, we want you to know which ones we believe are most important to creating equitable access to affordable, quality health care for all Coloradans—and how your legislator voted on them. This scorecard is not an endorsement of any legislator or political party.

How did we choose which bills to score?

In 2019, CCHI took a position on 56 pieces of legislation. Due to the high number of bills on health and health care, we chose to score bills that were particularly meaningful to CCHI and on which we worked most actively. CCHI's policy committee, a committee comprised of CCHI members, helped in the selection process and voted on the final 7 bills for the scorecard. These bills reflect CCHI's organizational priorities and policies with the potential to meaningfully impact access to care and improve affordability for Colorado consumers.

So, how does it work?

The "score," or percentage, in the far right column reflects the percentage of scored bills in which each legislator voted favorably with CCHI's position on the bill (i.e. a proconsumer vote). If a legislator did not vote on a particular bill (marked "E" for "excused"), their percentage score does not include that bill. Scores are based on third-reading votes; we did not score committee votes and/or concurrent votes.



REPRESENTATIVE	House District	HB19- 1004	HB19- 1168	HB19- 1174	HB19- 1216	HB19- 1233	HB19- 1269	HB19- 1320	Score
Arndt, Jeni (D)	53	✓	100%						
Baisley, Mark (R)	39	×	×	✓	✓	×	×	×	29%
Becker, KC (D)	13	✓	100%						
Beckman, Susan (R)	38	×	×	✓	×	×	×	×	14%
Benavidez, Adrienne (D)	32	✓	100%						
Bird, Shannon (D)	35	✓	100%						
Bockenfeld, Rod (R)	56	×	×	✓	×	×	✓	×	29%
Buck, Perry (R)	49	×	×	×	×	×	×	×	0%
Buckner, Janet (D)	40	✓	100%						
Buentello, Bri (D)	47	✓	E	✓	✓	✓	✓	✓	100%
Caraveo, Yadira (D)	31	✓	100%						
Carver, Terri (R)	20	×	×	✓	✓	×	✓	×	43%
Catlin, Marc (R)	58	✓	✓	✓	✓	×	×	×	57%
Coleman, James (D)	7	✓	100%						
Cutter, Lisa (D)	25	✓	100%						
Duran, Monica (D)	24	✓	100%						
Esgar, Daneya (D)	46	✓	100%						
Exum, Tony (D)	17	✓	100%						

REPRESENTATIVE	House District	HB19- 1004	HB19- 1168	HB19- 1174	HB19- 1216	HB19- 1233	HB19- 1269	HB19- 1320	Score
Froelich, Meg (D)	3	✓	100%						
Galindo, Rochelle (D)	50	✓	100%						
Garnett, Alec (D)	2	✓	100%						
Geitner, Tim (R)	19	×	×	✓	×	×	×	×	14%
Gonzales-Gutierrez, Serena (D)	4	✓	100%						
Gray, Matt (D)	33	✓	100%						
Hansen, Chris (D)	6	✓	100%						
Herod, Leslie (D)	8	✓	100%						
Hooton, Edie (D)	10	✓	100%						
Humphrey, Stephen (R)	48	×	×	×	×	×	×	×	0%
Jackson, Dominique (D)	42	✓	100%						
Jacquez Lewis, Sonya (D)	12	✓	100%						
Kennedy, Chris (D)	23	✓	100%						
Kipp, Cathy (D)	52	✓	100%						
Kraft-Tharp, Tracy (D)	29	✓	100%						
Landgraf, Lois (R)	21	✓	✓	✓	✓	×	✓	×	71%
Larson, Colin (R)	22	×	×	✓	✓	✓	✓	✓	71%
Lewis, Kimmi (R)	64	×	E	×	×	×	×	×	0%

REPRESENTATIVE	House District	HB19- 1004	HB19- 1168	HB19- 1174	HB19- 1216	HB19- 1233	HB19- 1269	HB19- 1320	Score
Liston, Larry (R)	16	✓	✓	✓	✓	×	×	×	57%
Lontine, Susan (D)	1	✓	100%						
McCluskie, Julie (D)	61	✓	100%						
McKean, Hugh (R)	51	×	✓	✓	✓	×	×	×	43%
McLachlan, Barbara (D)	59	✓	100%						
Melton, Jovan (D)	41	✓	100%						
Michaelson Jenet, Dafna (D)	30	✓	100%						
Mullica, Kyle (D)	34	✓	100%						
Neville, Patrick (R)	45	×	×	✓	×	×	×	×	14%
Pelton, Rod (R)	65	✓	×	✓	×	×	✓	×	43%
Ransom, Kim (R)	44	×	×	×	×	×	×	×	0%
Rich, Janice (R)	55	×	✓	✓	×	✓	×	✓	57%
Roberts, Dylan (D)	26	✓	100%						
Saine, Lori (R)	63	×	×	✓	×	×	×	×	14%
Sandridge, Shane (R)	14	×	×	✓	×	×	×	×	14%
Singer, Jonathan (D)	11	✓	100%						
Sirota, Emily (D)	9	✓	100%						
Snyder, Marc (D)	18	✓	100%						

REPRESENTATIVE	House District	HB19- 1004	HB19- 1168	HB19- 1174	HB19- 1216	HB19- 1233	HB19- 1269	HB19- 1320	Score
Soper, Matt (R)	54	✓	✓	✓	✓	✓	E	✓	100%
Sullivan, Tom (D)	37	✓	100%						
Tipper, Kerry (D)	28	✓	100%						
Titone, Brianna (D)	27	✓	100%						
Valdez, Alex (D)	5	✓	100%						
Valdez, Donald (D)	62	✓	100%						
Van Winkle, Kevin (R)	43	×	×	✓	E	E	E	×	25%
Weissman, Mike (D)	36	✓	100%						
Will, Perry (R)	57	-	✓	✓	✓	✓	✓	✓	100%
Williams, Dave (R)	15	×	×	✓	×	×	×	×	14%
Wilson, James (R)	60	✓	✓	✓	✓	×	✓	×	71%

2019 Senate Votes

SENATOR	Senate District	HB19- 1004	HB19- 1168	HB19- 1174	HB19- 1216	HB19- 1233	HB19- 1269	HB19- 1320	Score
Bridges, Jeff (D)	26	✓	100%						
Cooke, John (R)	13	×	✓	×	×	×	✓	×	29%
Coram, Don (R)	6	×	✓	✓	✓	✓	✓	×	71%
Court, Lois (D)	31	✓	100%						
Crowder, Larry (R)	35	×	×	✓	✓	×	✓	×	43%
Danielson, Jessie (D)	20	✓	100%						
Donovan, Kerry (D)	5	✓	100%						
Fenberg, Stephen (D)	18	✓	100%						
Fields, Rhonda (D)	29	✓	100%						
Foote, Mike (D)	17	✓	100%						
Garcia, Leroy (D)	3	✓	100%						
Gardner, Bob (R)	12	×	✓	✓	×	×	✓	×	43%
Ginal, Joann (D)	14	✓	100%						
Gonzales, Julie (D)	34	✓	100%						
Hill, Owen (R)	10	×	✓	×	×	×	×	×	14%
Hisey, Dennis (R)	2	×	✓	✓	×	×	✓	×	43%
Holbert, Chris (R)	30	×	✓	×	×	×	×	×	14%
Lee, Pete (D)	11	✓	100%						

2019 Senate Votes

SENATOR	Senate District	HB19- 1004	HB19- 1168	HB19- 1174	HB19- 1216	HB19- 1233	HB19- 1269	HB19- 1320	Score
Lundeen, Paul (R)	9	×	✓	✓	×	×	✓	×	43%
Marble, Vicki (R)	23	×	✓	✓	×	×	×	×	29%
Moreno, Dominick (D)	21	✓	100%						
Pettersen, Brittany (D)	22	✓	100%						
Priola, Kevin (R)	25	×	✓	✓	✓	×	✓	✓	71%
Rankin, Bob (R)	8	×	✓	✓	×	✓	✓	×	57%
Rodriguez, Robert (D)	32	✓	100%						
Scott, Ray (R)	7	×	✓	✓	×	×	✓	×	43%
Smallwood, Jim (R)	4	×	✓	✓	×	×	✓	×	43%
Sonnenberg, Jerry (R)	1	×	✓	×	E	E	×	×	20%
Story, Tammy (D)	16	✓	100%						
Tate, Jack (R)	27	×	✓	✓	×	×	✓	×	43%
Todd, Nancy (D)	28	✓	100%						
Williams, Angela (D)	33	✓	100%						
Winter, Faith (D)	24	✓	100%						
Woodward, Rob (R)	15	×	✓	✓	×	×	×	×	29%
Zenzinger, Rachel (D)	19	✓	100%						





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