



**Colorado Consumer  
Health Initiative**

**2022**

**Legislative Scorecard**

# 2022 Legislative Overview

## ABOUT US

CCHI is a statewide, non-partisan, non-profit membership organization working so all Coloradans have access to affordable, high-quality and equitable health care.

CCHI was created in 2000 to serve as a counterweight to powerful health care industry interests by building a cohesive consumer voice among health advocacy organizations and their constituents.

## MISSION

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

## VISION

All Coloradans have equitable access to affordable, high-quality health care.

The 2022 legislative session preceded a major election cycle involving significant legislative redistricting, leaving few sure about the political dynamics under the dome this year (and next). Despite these uncertainties, consumer advocates and health care champions came out in full force to advocate for meaningful policy change. Critical investments made possible by the American Rescue Plan and bipartisan efforts to lower costs and increase access to care made for a legislative session heavy on health-related priorities.

After a monumental session in 2021, CCHI and our partners had to balance pursuing new legislation with participating in ongoing regulatory and implementation processes. These key priorities included the Colorado Option, Prescription Drug Affordability Board, and Hospital Financial Assistance.

When evaluating bills this session, CCHI implemented an equity assessment tool to ensure we directed our resources to equitable, well-targeted policies, as much as possible. Our highest priority bills built on years of work in the consumer protection space. These initiatives were aimed at aligning state and federal surprise billing protections and creating more transparency in Health Care Sharing Arrangement (HCSAs) operations.

CCHI took positions on 51 bills this session ranging across health care issues from behavioral health to insurance coverage access to workforce to health care financing proposals. We also supported a number of bills aimed at breaking down upstream barriers to health, specifically housing, food access, criminal justice reform and more. We supported 39 bills, of which 35 passed, and opposed and/or sought to amend 10 bills, of which 8 had the desired outcome.

Below, we summarize legislation that addresses health care access and affordability, consumer protections, reimagining our health care system, and social determinants of health. The concerted efforts of CCHI staff, members, and individual Coloradans throughout the session paid off with numerous wins for consumers to celebrate upon adjournment of the 73rd Colorado General Assembly.

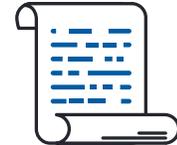


2022 Legislative Session

# By the Numbers

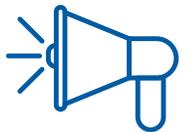


CCHI took positions on **51** bills



**35** of the **39** bills CCHI supported passed

CCHI staff testified at the Capitol **16** times



Consumers sent **1,241** emails to legislators

**97** consumers at Health Care Day of Action



Over **35** media mentions during session in  
statewide and national publications

# Protecting Consumers



The profit-driven practices of the health care industry often come directly at the cost of consumers, particularly those who face the greatest barriers to care due to race, income, geography, or other factors. Health care decisions should be between patients and their trusted health care providers. Neither financial barriers nor political agendas should prevent Coloradans from getting the care they need. CCHI believes stronger consumer protections are a powerful tool to mitigate existing inequities in the health care system. This legislative session we supported policies, like those listed below, that increase transparency and accountability in industry practices and protect bodily autonomy to ensure patients can make informed decisions around their care.

## Key Bills



### **HB22-086 Homestead Exemption and Consumer Debt Protection**

**Rep. Gray & Rep. Gonzales-Gutierrez | Sen. Gonzales & Sen. Winter**

**Pro-consumer vote YES | Status Passed**

Medical debt is the most common form of debt to be sent to collections and disproportionately affects Black and Latinx Coloradans. This bill updates Colorado exemptions to allow Coloradans to protect adequate income and normal assets (such as dwellings, bank and health savings accounts, etc.) in the face of extraordinary collections.



### **HB22-1279 Reproductive Health Equity Act**

**Rep. Froelich & Rep. Esgar | Sen. Gonzales**

**Pro-consumer vote YES | Status Passed**

This bill codifies a person's right to make reproductive health-care decisions without any government interference. Explicitly stating that individuals have the right to use or refuse any related medical services, this bill will protect consumers from potential intervention or penalties for making personal reproductive health choices. These protections are especially critical for communities of color and low-income Coloradans who have been disproportionately harmed by policies limiting bodily autonomy.



### **HB22-1285 Prohibit Hospital Collection Not Disclosing Prices**

**Rep. Neville & Rep. Esgar | Sen. Moreno & Sen. Cooke**

**Pro-consumer vote YES | Status Passed**

Federal law requires hospitals to publish price transparency data online for consumer use, but many hospitals are not in compliance with this regulation. This bill prohibits any hospital failing to meet federal hospital price transparency standards from sending consumers to debt collections.

## Health Care Sharing Arrangements (HCSAs)

### **HB22-1269 Health care Sharing Reporting Requirements**

**Rep. Lontine | Sen. Hansen**

**Pro-consumer vote YES | Status Passed**

Health care sharing arrangements (HCSAs) are programs where individual members with shared values pay monthly to help cover other members' medical expenses. Although these arrangements may work for some people, these programs have no regulatory oversight and there is no guarantee they will pay for any medical expenses.

CCHI has pursued policy solutions to improve transparency and consumer protections regarding HCSAs for years because we have heard from several clients across the state who have had serious billing issues and faced steep medical debt due to their participation in these arrangements.

This bill requires HCSAs to submit basic, routine information to the Division of Insurance (DOI) who will share the data publicly. This will help DOI understand the impact HCSAs have on health care costs and provide greater transparency for consumers who may be interested in these programs.

# Access and Affordability



Structural oppression driven by government policies has concentrated health risks in Black Indigenous People of Color (BIPOC) and low-income communities. Due to the vicious cycle of structural racism, financial instability, and barriers to access, BIPOC Coloradans are both more likely to need—and less likely to be able to access and afford—care for chronic disease and other health concerns. In 2022, we supported the following legislation to improve access, affordability and dependability of health coverage, with a particular focus on communities facing the biggest barriers to care.

## Key Bills

### HB22-1031 Consumer Right to Repair Powered Wheelchairs



### HB22-1290 Changes to Medicaid for Wheelchair Repairs

Rep. Titone & Rep. Ortiz |  
Sen. Zenzinger & Sen. Cooke  
Pro-consumer vote **YES** |

Status **Passed**

HB22-1031 requires manufacturers to end harmful trade practices. HB22-1290 removes administrative hurdles for Medicaid recipients requiring wheelchair repairs.

### HB22-1370 Coverage Requirements for Health Care Products



Rep. Jodeh & Rep. Sirota |  
Sen. Winter & Sen. Buckner  
Pro-consumer vote **YES** |  
Status **Passed**

This bill strengthens regulations on insurance practices that create barriers for consumers to access their medications, such as step therapy and midyear coverage changes. It paves a path forward to ensure rebates are passed on to consumers.

### SB22-081 Health Exchange Education Campaign

Rep. Tipper & Rep. Will |  
Sen. Donovan & Sen. Smallwood  
Pro-consumer vote **YES** |  
Status **Passed**

This bill requires the Colorado health insurance exchange to create a community outreach campaign to educate consumers on coverage options. This bill expands an existing tax credit until 2028 for carriers who contribute funds to the exchange.

## Aligning State & Federal Surprise Billing Protections

HB 22-1284 Health Insurance Surprise Billing Protections  
Majority Leader Esgar & Rep. Catlin | Sen. Pettersen & Sen. Gardner  
Pro-consumer vote **YES** | Status **Passed**



Surprise billing, a practice where individuals are balance-billed for unknowingly receiving care outside of their insurance network, has long been a problem for consumers. In 2019 Colorado created some of the strongest surprise billing protections in the nation for consumers with state-regulated health insurance plans. Federal protections established by the No Surprises Act went into effect on January 1, 2022. This bill aligns the state and federal law to ensure all consumers in Colorado, regardless of insurance type, have streamlined protections.

## Covering All Coloradans

HB 22-1289 Health Benefits for Colorado Children and Pregnant Persons  
Rep. Gonzales-Gutierrez & Rep. McCluskie | Sen. Moreno & Sen. Fields  
Pro-consumer vote **YES** | Status **Passed**



This bill expands Medicaid-like and CHIP (children's basic health plan) coverage to all income-qualifying Colorado children and pregnant people, regardless of immigration status. Additional provisions draw down federal funds to expand access to pregnancy supports and lactation supplies and establish a special enrollment period for insurance coverage for pregnancy. This exciting initiative was led by a steering committee of impacted community members and many of our amazing member organizations.

# Social Determinants of Health



Our overall health is affected by the conditions in which we live, learn, work, and play. Decades of racist policies have shaped environmental and social conditions, creating a vicious cycle of poor health and an inability to obtain high quality care. At CCHI, we know that health risks and outcomes go beyond access to high quality and affordable healthcare. We are committed to advocating for policies that encompass the full scope of health. These bills are a select few from over 13 bills that we followed in 2022 as part of our commitment to addressing social determinants of health as a critical pillar of advancing health justice.

## Key Bills



### **HB22-1414 Healthy Meals for all Public School Children**

**Rep. Gonzales-Gutierrez & Rep. Michaelson Jenet | Sen. Petterson & Sen. Fields**

**Pro-consumer vote YES | Status Passed**

This bill refers a ballot measure to Colorado voters to close tax loopholes for high-income earners to create a free universal meal program for all public school students and incentivizes schools to purchase locally grown ingredients for meals.



### **HB22-1326 Fentanyl Accountability and Prevention**

**Rep. Garnett & Rep. Lynch | Sen. Petterson & Sen. Cooke**

**Pro-consumer vote NO | Status Passed**

One of the most contentious proposals in the 2022 session, this bill seeks to address the tragic rise in fentanyl-related deaths through strengthening criminal penalties for possessing and dealing drugs that contain fentanyl. Although this bill will make significant investments in evidence-based harm reduction practices like treatment and drug testing strips, doctors, public health experts, and criminal justice advocates are concerned that increasing criminalization will result in worse outcomes and even death for people using drugs in Colorado.



### **SB22-233 TABOR Refund Mechanism For FY 2021-2022 Only**

**Rep. Exum & Rep. Daugherty | Sen. Hinrichsen & Sen. Rodriguez**

**Pro-consumer vote YES | Status Passed**

Colorado law requires that when the state exceeds its constitutional spending limit, any excess funds must be refunded to taxpayers. This bill makes this inequitable rebate process better by flattening the amount refunded to all taxpayers. All qualified Coloradans who file taxes by June 30, 2022 will be reimbursed at least \$400 (or \$800 for joint filers) in the 2021-2022 fiscal year.



### **SB22-099 Sealing Criminal Records**

**Rep. Tipper & Rep. Larson | Sen. Hisey & Sen. Rodriguez**

**Pro-consumer vote YES | Status Passed**

Nonviolent drug offenses are the result of racist criminalization policies and create huge barriers to securing employment and housing. This bill establishes an automatic record sealing process making it easier for qualifying charges to not show up on background check reports used by employers and landlords.

## Housing Protections

### **HB22-1137 Homeowners' Association Board Accountability and Transparency**

**Rep. Ricks & Rep. Bradfield | Sen. Gonzales & Sen. Coleman**  
**Pro-consumer vote YES | Status Passed**

This bill increases protections for residents living in Homeowners' Associations (HOAs) by limiting a variety of HOA powers. Some of the many protections outlined in this bill include requiring HOAs to give adequate and accessible notice of resident violations, restricting an HOA's ability to fine residents, and limiting an HOA's ability to send a resident to debt collections.

# Reimagining Health Care



We know the status quo is not working for consumers. Our current health care system is unaffordable, unsustainable, and inequitable. The U.S. has higher per capita expenditures and worse health outcomes than international peers, and these systemic failings disproportionately weigh on consumers who face the biggest barriers to health care. Rethinking how health care is accessed, delivered, and paid for is crucial to advancing health equity and improving health outcomes for those with the greatest need. During the 2022 legislative session, Colorado advocates sought solutions to these critical issues at the Capitol. While the work is far from over, these bills move the needle towards creating more accessible, culturally competent, patient-centered care.

## Key Bills



### **SB22-219 Regulate Dental Therapists** **Rep. Duran & Rep. McLachlan | Sen. Moreno & Sen. Smallwood**

**Pro-consumer vote YES | Status Passed**

This bill creates a licensure program for dental therapists, a profession which previously did not exist in Colorado. Dental therapists will be authorized to provide routine and preventative oral health care, which many Coloradans do not currently have access to. Expanding the dental workforce is an important step in expanding access to oral health care.



### **HB22-1281 Behavioral Health-care Continuum Gap Grant Program**

**Rep. Gonzales-Gutierrez & Rep. Ricks | Sen. Winter & Sen. Rankin**

**Pro-consumer vote YES | Status Passed**

The Behavioral Health Administration (BHA) was established in Colorado this year. This bill was one of many to support in the BHA's implementation process. HB22-1281 creates a grant program within the BHA to fund community based initiatives to expand behavioral health support services for youth and families, with a focus on substance use disorders and populations who have had the biggest barriers to these services.



### **HB22-1267 Culturally Relevant Training Health Professionals**

**Rep. Valdez & Rep. Boesenecker | Sen. Ginal & Sen. Fields**

**Pro-consumer vote YES | Status Passed**

This bill creates a grant program to fund the development of trainings to promote providing culturally relevant and affirming care. These trainings will be designed for health care providers by qualifying nonprofits and community-based organizations.

## Alternative Payment Models

### **HB22-1325 Primary Care Alternative Payment Models**

**Rep. Kennedy & Rep. Caraveo | Sen. Ginal**

**Pro-consumer vote YES | Status Passed**

Traditional fee-for-service reimbursement models in the health care system are not only linked to higher expenditures, but also perpetuate health disparities by impeding whole-person care models that meet the needs of consumers with the highest barriers to access. Alternative payment models (APMs) aim to better align financial incentives to promote more equitable, holistic, and value-based care delivery.

This bill builds on the work of the Primary Care Payment Reform Collaborative. It requires various public agencies to convene interested parties to develop aligned parameters for primary care APMs that are implemented in the commercial insurance market.

# Scorecard

## Bills We Scored

<b>HB22-1269</b> <b>Health care</b> <b>Sharing</b> <b>Reporting</b> <b>Requirements</b>	This bill requires HCSAs to submit basic, routine information to the Division of Insurance (DOI) who will share the data public, shedding light on the impact HCSAs have on health care costs and provide greater transparency for consumers.
<b>HB22-1284</b> <b>Health Insurance</b> <b>Surprise Billing</b> <b>Protections</b>	This bill aligns state and federal regulations to ensure consumers have the strongest possible protections from surprise bills.
<b>HB22-1289</b> <b>Health Benefits for</b> <b>Colorado Children</b> <b>and Pregnant Persons</b>	This bill expands Medicaid and CHIP (children's basic health plans) coverage to all income eligible Colorado kids and pregnant people, regardless of documentation status.
<b>HB22-1370</b> <b>Coverage</b> <b>Requirements for</b> <b>Health care Products</b>	This bill strengthens regulations on step therapy, co-pays, and the changes that carriers can make to coverage of medications during the plan year.
<b>HB22-1137</b> <b>Homeowners'</b> <b>Association Board</b> <b>Accountability and</b> <b>Transparency</b>	This bill increases protections for residents living in Homeowners' Associations (HOAs) by limiting a variety of HOA powers relating to fines, evictions, and noticing requirements.
<b>HB22-1325</b> <b>Primary Care</b> <b>Alternative Payment</b> <b>Models</b>	This bill requires public agencies to develop APM rules for primary care to be implemented in the commercial insurance market.
<b>SB22-219</b> <b>Regulate Dental</b> <b>Therapists</b>	This bill creates a new licensure program for dental therapists that will expand the dental workforce and make dental care more accessible.

## 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 high 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 2022, CCHI took a position on over 50 pieces of legislation. Due to the high number of bills related to health and health care, we chose to score bills that were particularly meaningful to consumers and that we worked most actively on to paint a broad picture of the key themes of the session.

## So, how does it work?

We scored bills that we actively worked on and are the most meaningful to consumers. These bills reflect CCHI's organizational priorities and policies with the potential to meaningfully impact health care access and affordability for Coloradans.





# 2022 House Votes

Representative	House District	HB22-1269	HB22-1284	HB22-1289	HB22-1370	HB22-1137	HB22-1325	SB22-219	Score
Luck, Stephanie (R)	47	✗	✓	✗	✗	✗	✗	✗	14%
Lynch, Mike (R)	49	✗	✓	✗	✗	✗	✗	✗	14%
McCluskie, Julie (D)	61	✓	✓	✓	✓	✗	✓	✓	86%
McCormick, Karen (D)	11	✓	✓	✓	✓	✓	✓	✓	100%
McKean, Hugh (R)	51	✗	✓	✗	✗	✗	✗	✓	29%
McLachlan, Barbara (D)	59	✓	✓	✓	✓	✗	✓	✓	86%
Michaelson Jenet, Dafna (D)	30	✓	✓	✓	✓	✓	✓	✓	100%
Mullica, Kyle (D)	34	✓	✓	✓	✓	✓	✓	✓	100%
Neville, Patrick (R)	45	✗	✓	✗	✗	✗	✗	✗	14%
Ortiz, David (D)	38	✓	✓	✓	✓	✓	✓	✓	100%
Pelton, Rod (R)	65	✗	✓	✗	✗	✗	✗	✓	29%
Pico, Andres (R)	16	✗	✓	✗	✗	✗	✗	✗	14%
Ransom, Kim (R)	44	✗	✓	✗	✗	✗	✗	✗	14%
Rich, Janice (R)	55	✗	✓	✗	✗	✗	✗	✗	14%
Ricks, Naquetta (D)	40	✓	✓	✓	✓	✓	✓	✓	100%
Roberts, Dylan (D)	26	✓	✓	✓	✗	✗	✓	✓	71%
Sandridge, Shane (R)	14	✗	✓	✗	✗	✗	✗	✗	14%



# 2022 Senate Votes

Senator	Senate District	HB22-1269	HB22-1284	HB22-1289	HB22-1370	HB22-1137	HB22-1325	SB22-219	Score
Bridges, Jeff (D)	26	✓	✓	✓	✓	✓	✓	✓	100%
Buckner, Janet (D)	28	✓	✓	✓	✓	✓	✓	✓	100%
Coleman, James (D)	33	✓	✓	✓	✓	✓	✓	✓	100%
Cooke, John (R)	13	✗	✓	✗	✗	✓	✗	✓	43%
Coram, Don (R)	6	A	✓	A	✗	✓	A	✓	75%
Danielson, Jessie (D)	20	✓	✓	✓	✓	✓	✓	✓	100%
Donovan, Kerry (D)	5	✓	✓	✓	✓	✓	✓	✓	100%
Fenberg, Stephen (D)	18	✓	✓	✓	✓	✓	✓	✓	100%
Fields, Rhonda (D)	29	✓	✓	✓	✓	✓	✓	✓	100%
Gardner, Bob (R)	12	✗	A	✗	✗	✗	✗	✓	17%
Ginal, Joann (D)	14	✓	✓	✓	✓	✓	✓	✓	100%
Gonzales, Julie (D)	34	✓	✓	✓	✓	✓	✓	✓	100%
Hansen, Chris (D)	31	✓	✓	✓	✓	✓	✓	✓	100%
Hinrichsen, Nick (D)	3	✓	✓	✓	✓	✓	✓	✓	100%
Hisey, Dennis (R)	2	✗	✓	✗	✗	✓	✗	✓	43%
Holbert, Chris (R)	30	✗	✓	✗	✗	✗	✗	✓	29%



# 2022 Senate Votes

Senator	Senate District	HB22-1269	HB22-1284	HB22-1289	HB22-1370	HB22-1137	HB22-1325	SB22-219	Score
Winter, Faith (D)	24	✓	✓	✓	✓	✓	✓	✓	100%
Woodward, Rob (R)	15	✗	✓	✗	✗	✗	✗	✗	14%
Zenzinger, Rachel (D)	19	✓	✓	✓	✓	✓	✓	✓	100%

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