



December 4, 2018

Michael Conway
Commissioner of Insurance
Colorado Division of Insurance

Dear Commissioner Conway:

On behalf of our more than 100 hospital and health system members statewide, the Colorado Hospital Association (CHA) thanks the Division of Insurance (DOI) for the opportunity to provide comments on Proposed Regulation 4-2-61 concerning Non-Contracted Emergency Room Claims.

CHA supports the proposed regulation's overall intent to ensure that coverage for health care consumers is not limited for emergency services provided at an out-of-network facility. The adoption of the proposed regulation will strengthen the important consumer protections outlined in 10-16-704(5.5), C.R.S., and will help ensure Coloradans can access the right care at the right time, especially when unforeseen health care emergencies occur.

The Association has one outstanding technical change. CHA encourages the DOI to capture all emergency facilities in Section 3 by including both an emergency department of a hospital and a community clinic with emergency services (commonly known as a freestanding emergency department in Colorado). CHA suggests the below alternate language.

The regulation applies to all carriers offering managed care plans that provide any benefits with respect to **emergency** services obtain in a **health care facility licensed or certified in accordance with the requirements in article 3 of title 25 or a community clinic as defined in section 25-1.5.103 (2(a.5)).** ~~an emergency department of a hospital.~~

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Burkhart', with a stylized flourish at the end.

Amber Burkhart
Public Policy Manager, Colorado Hospital Association