

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 08-0841.01 Kate Meyer

HOUSE BILL 08-1334

HOUSE SPONSORSHIP

Witwer,

SENATE SPONSORSHIP

Kopp,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING HEALTH INSURANCE FOR BONA FIDE VOLUNTEER**
102 **EMERGENCY SERVICE PROVIDERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Authorizes emergency service providers to enter into group health insurance contracts with carriers for the purpose of providing insurance to bona fide volunteers who are active and in good standing. Allows the governing body of each emergency service provider the discretion to negotiate the details related to the procurement and administration of the insurance contracts. Specifies that bona fide volunteers and emergency service providers fall within the purview of existing group sickness and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
February 27, 2008

HOUSE
Amended 2nd Reading
February 26, 2008

accident insurance law. Defines terms.

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

2 **SECTION 1.** 10-16-102, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
4 read:

5 **10-16-102. Definitions.** As used in this article, unless the context
6 otherwise requires:

7 (5.6) "BONA FIDE VOLUNTEER":

8 (a) HAS THE MEANING SET FORTH IN SECTION 31-30-1202, C.R.S.;

9 AND

10 (b) MEANS ANY VOLUNTEER MEMBER OF A RESCUE UNIT AS
11 DEFINED IN SECTION 25-3.5-103, C.R.S.

12 (15.5) "EMERGENCY SERVICE PROVIDER" MEANS A LOCAL
13 GOVERNMENT, OR AN AUTHORITY FORMED BY TWO OR MORE LOCAL
14 GOVERNMENTS, THAT PROVIDES FIREFIGHTING AND FIRE PREVENTION
15 SERVICES, EMERGENCY MEDICAL SERVICES, AMBULANCE SERVICES, OR
16 SEARCH AND RESCUE SERVICES THROUGH THE USE OF BONA FIDE
17 VOLUNTEERS.

18 (26.4) "LOCAL GOVERNMENT" MEANS ANY CITY, COUNTY, CITY
19 AND COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF
20 THIS STATE.

21 **SECTION 2.** 10-16-214 (1) (a), Colorado Revised Statutes, is
22 amended to read:

23 **10-16-214. Group sickness and accident insurance.** (1) Group
24 sickness and accident insurance is declared to be that form of sickness
25 and accident insurance covering groups of persons, with or without their

1 dependents, and issued upon the following bases:

2 (a) Under a policy issued to an employer, who shall be deemed the
3 policyholder, insuring at least ten employees of such employer for the
4 benefit of persons other than the employer. The term "employees", as
5 used in part 1 of this article and this part 2, includes the officers,
6 managers, and employees of the employer, THE BONA FIDE VOLUNTEERS
7 IF THE EMPLOYER IS AN EMERGENCY SERVICE PROVIDER, the partners if the
8 employer is a partnership, the officers, managers, and employees of
9 subsidiary or affiliated corporations of a corporation employer, and the
10 individual proprietors, partners, and employees of individuals and firms,
11 the business of which is controlled by the insured employer through stock
12 ownership, contract, or otherwise. The term "employer", as used in part
13 1 of this article and this part 2, may include AN EMERGENCY SERVICE
14 PROVIDER, any municipal or governmental corporation, unit, agency, or
15 department thereof, and the proper officers, as such, of ~~any~~ AN
16 EMERGENCY SERVICE PROVIDER OR AN unincorporated municipality or
17 department thereof, as well as private individuals, partnerships, and
18 corporations.

19 **SECTION 3.** Article 30 of title 31, Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW PART to read:

21 **PART 13**

22 **VOLUNTEER HEALTH INSURANCE ACT**

23 **31-30-1301. Short title.** THIS PART 13 SHALL BE KNOWN AND
24 MAY BE CITED AS THE "VOLUNTEER HEALTH INSURANCE ACT".

25 **31-30-1302. Definitions.** AS USED IN THIS PART 13, UNLESS THE
26 CONTEXT OTHERWISE REQUIRES:

27 (1) "BONA FIDE VOLUNTEER":

1 (a) HAS THE MEANING SET FORTH IN SECTION 31-30-1202, C.R.S.;

2 AND

3 (b) MEANS ANY VOLUNTEER MEMBER OF A RESCUE UNIT AS
4 DEFINED IN SECTION 25-3.5-103, C.R.S.

5 (2) "CARRIER" MEANS AN ENTITY THAT PROVIDES HEALTH
6 COVERAGE IN THIS STATE, INCLUDING A FRANCHISE INSURANCE PLAN, A
7 FRATERNAL BENEFIT SOCIETY, A HEALTH MAINTENANCE ORGANIZATION,
8 A NONPROFIT HOSPITAL AND HEALTH SERVICE CORPORATION, A SICKNESS
9 AND ACCIDENT INSURANCE COMPANY, AND ANY OTHER ENTITY PROVIDING
10 A HEALTH INSURANCE OR HEALTH BENEFITS PLAN OR POLICY SUBJECT TO
11 THE INSURANCE LAWS AND REGULATIONS OF COLORADO.

12 (3) "EMERGENCY SERVICE PROVIDER" HAS THE MEANING SET
13 FORTH IN SECTION 29-11-101, C.R.S.

14 (4) "GROUP HEALTH INSURANCE PLAN" MEANS A GROUP SICKNESS
15 AND ACCIDENT INSURANCE PLAN AS DESCRIBED IN SECTION 10-16-214,
16 C.R.S.

17 (5) "QUALIFIED SERVICES" MEANS FIREFIGHTING AND FIRE
18 PREVENTION SERVICES, EMERGENCY MEDICAL SERVICES, AMBULANCE
19 SERVICES, AND SEARCH AND RESCUE SERVICES.

20 **31-30-1303. Group health insurance plan.** (1) THE GOVERNING
21 BODY OF AN EMERGENCY SERVICE PROVIDER MAY ENTER INTO INSURANCE
22 CONTRACTS WITH CARRIERS TO PROVIDE GROUP HEALTH INSURANCE
23 PLANS FOR ITS BONA FIDE VOLUNTEERS. THE COST OF THE PLANS,
24 SOURCES OF FUNDING, AMOUNT OF CONTRIBUTIONS REQUIRED FROM BONA
25 FIDE VOLUNTEERS, COVERAGE PARAMETERS, AND ELIGIBILITY
26 REQUIREMENTS SHALL BE NEGOTIATED BY THE GOVERNING BODY AND THE
27 CARRIER. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PRECLUDE

1 A GOVERNING BODY FROM PARTICIPATING IN AN INSURANCE POOL OR
2 FROM ALLOWING ITS BONA FIDE VOLUNTEERS TO PARTICIPATE IN THE
3 GROUP HEALTH INSURANCE PLAN OFFERED TO THE PAID EMPLOYEES OF
4 THE GOVERNING BODY.

5 (2) THE ADMINISTRATION AND MANAGEMENT OF A GROUP HEALTH
6 INSURANCE PLAN SHALL BE THE EXCLUSIVE RESPONSIBILITY OF THE
7 CARRIERS OF THE PLAN.

8 (3) THIS SECTION SHALL APPLY ONLY TO BONA FIDE VOLUNTEERS
9 DEEMED TO BE ACTIVE AND IN GOOD STANDING BY THE EMERGENCY
10 SERVICE PROVIDER.

11 **SECTION 4. Effective date.** This act shall take effect at 12:01
12 a.m. on the day following the expiration of the ninety-day period after
13 final adjournment of the general assembly that is allowed for submitting
14 a referendum petition pursuant to article V, section 1 (3) of the state
15 constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008);
16 except that, if a referendum petition is filed against this act or an item,
17 section, or part of this act within such period, then the act, item, section,
18 or part, if approved by the people, shall take effect on the date of the
19 official declaration of the vote thereon by proclamation of the governor.