

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 26-0791.01 Renee Leone x2695

HOUSE BILL 26-1241

HOUSE SPONSORSHIP

Marshall and Bradley,

SENATE SPONSORSHIP

Marchman,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE NOTICE REQUIRED TO MAKE A MATERIAL CHANGE**
102 **TO A CONTRACT ENTERED INTO WITH A HEALTH-CARE**
103 **PROVIDER.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

In current law concerning contracts with health-care providers, an entity wishing to make a material change to such a contract must provide written notice of the change to the health-care provider at least 90 days before the effective date of the change. The bill adds language requiring a person to give such written notice by registered mail and by email to the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
March 23, 2026

health-care provider or administrator who signed the contract and adds a reference to this language in the area of the Colorado Revised Statutes concerning health-care insurance carriers.

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

2 **SECTION 1.** In Colorado Revised Statutes, 10-16-121, **add**
3 (1)(g) as follows:

4 **10-16-121. Required contract provisions in contracts between**
5 **carriers and providers - definitions.**

6 (1) A contract between a carrier and a provider or its
7 representative concerning the delivery, provision, payment, or offering of
8 care or services covered by a managed care plan must make provisions
9 for the following requirements:

10 (g) (I) A PROVISION THAT REQUIRES THE CARRIER TO PROVIDE
11 NOTICE TO THE PROVIDER IF THE CARRIER MAKES A MATERIAL CHANGE TO
12 THE CONTRACT, IN ACCORDANCE WITH SECTION 25-37-104.

13 (II) AS USED IN THIS SUBSECTION (1)(g), "MATERIAL CHANGE"
14 HAS THE MEANING SET FORTH IN SECTION 25-37-102 (9).

15 **SECTION 2.** In Colorado Revised Statutes, 25-37-104, **amend**
16 (1) as follows:

17 **25-37-104. Material change in health-care contract - written**
18 **advance notice.**

19 (1) A material change to a contract ~~shall occur~~ IS AUTHORIZED
20 only if the person or entity provides NOTICE OF THE MATERIAL CHANGE in
21 writing, BY STANDARD ELECTRONIC MEANS, to the health-care provider ~~the~~
22 ~~proposed change and gives~~ TWO SEPARATE TIMES AND, IF THE
23 HEALTH-CARE PROVIDER HAS NOT AFFIRMATIVELY RESPONDED, A THIRD
24 TIME BY REGISTERED MAIL OR PERSONAL SERVICE TO THE HEALTH-CARE

1 PROVIDER OR THE HEALTH-CARE PROVIDER'S ADMINISTRATOR WHO WAS
2 THE INDIVIDUAL WHO SIGNED THE CONTRACT AT LEAST ninety days notice
3 before the effective date of the change. The ~~writing shall~~ WRITTEN NOTICE
4 MUST be conspicuously entitled "notice of material change to contract"
5 AND MUST CLEARLY SET FORTH THE PROPOSED MATERIAL CHANGE. THE
6 PERSON OR ENTITY PROVIDING NOTICE MAY CHARGE THE ACTUAL COST
7 INCURRED FOR THE REGISTERED MAIL OR PERSONAL SERVICE TO THE
8 HEALTH-CARE PROVIDER.

9 **SECTION 3. Act subject to petition - effective date -**
10 **applicability.** (1) This act takes effect January 1, 2027, except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within the ninety-day period after final adjournment of the general
14 assembly, then the act, item, section, or part will not take effect unless
15 approved by the people at the general election to be held in November
16 2026 and, in such case, will take effect January 1, 2027, or on the date of
17 the official declaration of the vote thereon by the governor, whichever is
18 later.

19 (2) This act applies to contracts entered into or renewed on or
20 after the applicable effective date of this act.