

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 10, 2026
Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB26-1002 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 10-16-704, **add**
4 (15.5) as follows:

5 **10-16-704. Network adequacy - required disclosures - balance**
6 **billing - rules - legislative declaration - definitions.**

7 (15.5) (a) BEGINNING JANUARY 1, 2027, AT LEAST ONCE EVERY
8 TWELVE MONTHS, A CARRIER SHALL CONFIRM THE NETWORK
9 PARTICIPATION OF A MENTAL HEALTH PROVIDER, SUBSTANCE USE
10 PROVIDER, OR PSYCHIATRIC NURSE, AS THE TERMS ARE DEFINED IN
11 SECTION 10-16-705.7, WHO HAS NOT SUBMITTED A CLAIM IN THE
12 PRECEDING TWELVE MONTHS OR HAS OTHERWISE COMMUNICATED WITH
13 THE CARRIER IN A MANNER EVIDENCING THE PROVIDER'S INTENT TO
14 CONTINUE PARTICIPATING IN THE CARRIER'S NETWORK AND FOR WHOM NO
15 CHANGE IN PROVIDER STATUS IS REPORTED BY A CENTRALIZED NATIONAL
16 PROVIDER DATABASE THAT COLLECTS, STANDARDIZES, AND MAINTAINS
17 PROVIDER CREDENTIALING AND PRACTICE INFORMATION.

18 (b) THE CARRIER SHALL CONTACT THE PROVIDER, OR THE
19 PROVIDER'S DESIGNATED NOTICE CONTACT IDENTIFIED IN THE PROVIDER'S
20 CONTRACT AGREEMENT WITH THE CARRIER, BY MAIL OR THE ELECTRONIC
21 MEANS THAT THE CARRIER TRADITIONALLY USES TO COMMUNICATE WITH
22 PROVIDERS IN THE CARRIER'S PROVIDER NETWORK TO CONFIRM THE
23 PROVIDER'S INTENT TO CONTINUE PARTICIPATING IN THE CARRIER'S
24 PROVIDER NETWORK AND TO INQUIRE WHETHER THE PROVIDER IS
25 ACCEPTING NEW PATIENTS. IF, BASED ON THE PROVIDER'S FEEDBACK, THE
26 PROVIDER'S INFORMATION NEEDS TO BE UPDATED IN THE CARRIER'S
27 PROVIDER NETWORK DIRECTORIES, THE CARRIER MUST UPDATE ITS

1 CARRIER'S PROVIDER NETWORK DIRECTORIES, AS NECESSARY, WITHIN FIVE
2 BUSINESS DAYS AFTER CONTACTING THE PROVIDER.

3 (c) IF THE PROVIDER FAILS TO RESPOND TO A CARRIER'S INQUIRY
4 WITHIN THIRTY DAYS AFTER THE CARRIER CONTACTS OR ATTEMPTS TO
5 CONTACT THE PROVIDER OR THE PROVIDER'S DESIGNATED NOTICE
6 CONTACT IDENTIFIED IN THE PROVIDER'S CONTRACT AGREEMENT WITH THE
7 CARRIER, THE CARRIER SHALL MAIL A FOLLOW-UP REQUEST TO THE
8 PROVIDER BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OR THE
9 ELECTRONIC MEANS THAT THE CARRIER TRADITIONALLY USES TO
10 COMMUNICATE WITH PROVIDERS IN THE CARRIER'S PROVIDER NETWORK.
11 IF THE PROVIDER FAILS TO RESPOND TO THE CARRIER'S FOLLOW-UP
12 REQUEST WITHIN THIRTY DAYS AFTER RECEIPT OF THE REQUEST, THE
13 CARRIER MUST REMOVE THE PROVIDER FROM ITS CARRIER PROVIDER
14 NETWORK AND UPDATE ITS CARRIER'S PROVIDER NETWORK DIRECTORIES,
15 AS NECESSARY, WITHIN FIVE BUSINESS DAYS AFTER THE EXPIRATION OF
16 THE THIRTY-DAY PERIOD.

17 **SECTION 2.** In Colorado Revised Statutes, 10-16-705.7, **amend**
18 (1)(a), (1)(b), (1)(d), (1)(j), (2)(c), (5), (6) introductory portion, (6)(b),
19 (8)(a) introductory portion, (8)(a)(II), (8)(b), (8)(c), (9), (9.5), and (10);
20 and **add** (1)(g.5), (1)(g.9), (1)(h.2), (1)(i.5), (1)(i.7), (1)(k), and (9.7) as
21 follows:

22 **10-16-705.7. Timely credentialing of providers by carriers -**
23 **notice of receipt required - notice of incomplete applications required**
24 **- delegated credentialing agreements - discrepancies - denials of**
25 **claims prohibited - disclosures - recredentialing - enforcement - rules**
26 **- definitions.**

27 (1) As used in this section, unless the context otherwise requires:

28 (a) "Applicant" means a physician, MENTAL HEALTH PROVIDER,
29 SUBSTANCE USE PROVIDER, OR PSYCHIATRIC NURSE who submits an
30 application to a carrier to become a participating ~~physician~~ PROVIDER in
31 the carrier's PROVIDER network.

32 (b) "Application" means an applicant's application to become
33 credentialed by a carrier as a participating ~~physician~~ PROVIDER in at least
34 one of the carrier's provider networks.

35 (d) "Credentialing" or "credential" means the process by which a
36 carrier or its designee collects information concerning an applicant;
37 assesses whether the applicant satisfies the relevant licensing, education,
38 and training requirements to become a participating ~~physician~~ PROVIDER;
39 verifies the assessment; and approves or disapproves the applicant's
40 application.

41 (g.5) "MENTAL HEALTH PROVIDER" MEANS A MENTAL HEALTH
42 ENTITY LICENSED PURSUANT TO ARTICLE 1.5 OF TITLE 25 OR MENTAL
43 HEALTH PROFESSIONAL LICENSED OR CERTIFIED PURSUANT TO ARTICLE 245

1 OF TITLE 12, EXCEPT FOR UNLICENSED PSYCHOTHERAPISTS REGULATED
2 PURSUANT TO ARTICLE 245 OF TITLE 12.

3 (g.9) "PARTICIPATING MENTAL HEALTH PROVIDER, SUBSTANCE
4 USE PROVIDER, OR PSYCHIATRIC NURSE" MEANS A MENTAL HEALTH
5 PROVIDER, SUBSTANCE USE PROVIDER, OR PSYCHIATRIC NURSE WHO IS
6 CREDENTIALLED BY A CARRIER OR ITS DESIGNEE TO PROVIDE HEALTH-CARE
7 ITEMS OR SERVICES TO COVERED PERSONS IN AT LEAST ONE OF THE
8 CARRIER'S PROVIDER NETWORKS.

9 (h.2) "PARTICIPATING PROVIDER" MEANS A PARTICIPATING
10 PHYSICIAN OR A PARTICIPATING MENTAL HEALTH PROVIDER, SUBSTANCE
11 USE PROVIDER, OR PSYCHIATRIC NURSE.

12 (i.5) "PRE-LICENSED PROVIDER" MEANS A "REGISTRANT" AS
13 DEFINED IN SECTION 12-245-202.

14 (i.7) "PSYCHIATRIC NURSE" MEANS A REGISTERED PROFESSIONAL
15 NURSE, AS DEFINED IN SECTION 12-255-104, WHO, BY VIRTUE OF
16 POSTGRADUATE EDUCATION AND ADDITIONAL NURSING PREPARATION, HAS
17 GAINED KNOWLEDGE, JUDGMENT, AND SKILL IN PSYCHIATRIC OR MENTAL
18 HEALTH NURSING.

19 (j) "Recredentialing" or "recredential" means the process by which
20 a carrier or its designee confirms that a participating ~~physician~~ PROVIDER
21 is in good standing and continues to satisfy the carrier's requirements for
22 participating ~~physicians~~ PROVIDERS.

23 (k) "SUBSTANCE USE DISORDER PROVIDER" MEANS A MENTAL
24 HEALTH ENTITY LICENSED PURSUANT TO ARTICLE 1.5 OF TITLE 25 THAT
25 SPECIALIZES IN TREATING SUBSTANCE USE DISORDERS OR A MENTAL
26 HEALTH PROFESSIONAL LICENSED OR CERTIFIED PURSUANT TO ARTICLE 245
27 OF TITLE 12 WHO SPECIALIZES IN TREATING SUBSTANCE USE DISORDERS,
28 EXCEPT FOR UNLICENSED PSYCHOTHERAPISTS REGULATED PURSUANT TO
29 ARTICLE 245 OF TITLE 12.

30 (2) (c) If a carrier receives a completed application but fails to
31 provide the applicant a receipt in written or electronic form within seven
32 calendar days after receiving the COMPLETED application, as required by
33 subsection (2)(a) of this section, the carrier shall consider the applicant
34 a participating ~~physician~~ PROVIDER, effective no later than fifty-three
35 calendar days following the carrier's receipt of the application.

36 (5) A carrier shall correct discrepancies in its provider or network
37 directory within thirty calendar days after receiving a report of the
38 discrepancy from a THE participating ~~physician~~ PROVIDER. A participating
39 ~~physician~~ PROVIDER shall notify a carrier BY MAIL OR THE ELECTRONIC
40 MEANS THAT THE CARRIER TRADITIONALLY USES TO COMMUNICATE WITH
41 THE PROVIDERS IN THE CARRIER'S PROVIDER NETWORK of any change in
42 the ~~physician's~~ PROVIDER'S name, address, telephone number, business
43 structure, or tax identification number within fifteen business days after

1 making the change.

2 (6) A carrier ~~may~~ SHALL not deny a claim for a medically
3 necessary covered service provided to a covered person if the service:
4 (b) Is provided by a participating ~~physician~~ PROVIDER who is in
5 the CARRIER'S provider network ~~for the carrier's health coverage plan~~ and
6 has concluded the carrier's credentialing process.

7 (8) (a) A carrier or its designee may recredential a participating
8 ~~physician~~ PROVIDER if ~~such~~ recredentialing is:
9 (II) Permitted by the carrier's contract with the participating
10 ~~physician~~ PROVIDER.

11 (b) A carrier shall not require a participating ~~physician~~ PROVIDER
12 to submit an application or participate in a contracting process in order to
13 be recredentialled.

14 (c) ~~Nothing in~~ This subsection (8) ~~affects~~ DOES NOT AFFECT the
15 contract termination rights of a carrier or a participating ~~physician~~
16 PROVIDER.

17 (9) Except as described in subsection (8) of this section and as
18 may be provided in a contract between a carrier and a participating
19 ~~physician~~ PROVIDER, a carrier shall allow a participating ~~physician~~
20 PROVIDER to remain credentialed and include the participating ~~physician~~
21 PROVIDER in the carrier's ~~health coverage plan~~ provider network unless
22 the carrier discovers information indicating that the participating
23 ~~physician~~ PROVIDER no longer satisfies the carrier's guidelines for
24 participation, in which case the carrier shall satisfy the requirements
25 described in section 10-16-705 (5) before terminating the participating
26 ~~physician's~~ PROVIDER'S participation in the CARRIER'S provider network.

27 (9.5) A carrier shall not refuse to credential an applicant or
28 terminate a participating ~~physician's~~ PROVIDER'S participation in a
29 CARRIER'S provider network based solely on the applicant's or
30 participating ~~physician's~~ PROVIDER'S provision of, or assistance in the
31 provision of, a legally protected health-care activity, as defined in section
32 12-30-121 (1)(d), in this state, so long as the care provided did not violate
33 Colorado law.

34 (9.7) (a) A CARRIER SHALL REIMBURSE A PARTICIPATING MENTAL
35 HEALTH PROVIDER, SUBSTANCE USE PROVIDER, OR PSYCHIATRIC NURSE
36 FOR COVERED MEDICALLY NECESSARY TREATMENT, AS DEFINED IN
37 SECTION 10-16-104 (5.5)(d)(IV), FURNISHED BY A PRE-LICENSED
38 PROVIDER WHO IS UNDER THE SUPERVISION OF THE PARTICIPATING
39 MENTAL HEALTH PROVIDER, SUBSTANCE USE PROVIDER, OR PSYCHIATRIC
40 NURSE WHO HAS SATISFIED ALL REQUIRED SUPERVISION RULES AND
41 CRITERIA.

42 (b) IF A HEALTH BENEFIT PLAN OFFERS OUT-OF-NETWORK
43 BENEFITS, THE CARRIER MUST REIMBURSE THE COVERED PERSON FOR

1 COVERED MEDICALLY NECESSARY TREATMENT, AS DEFINED IN SECTION
2 10-16-104 (5.5)(d)(IV), THAT IS PROVIDED BY AN OUT-OF-NETWORK
3 PRE-LICENSED PROVIDER UNDER THE SUPERVISION OF A
4 NONPARTICIPATING MENTAL HEALTH PROVIDER, SUBSTANCE USE
5 PROVIDER, OR PSYCHIATRIC NURSE IN ACCORDANCE WITH THE TERMS OF
6 COVERAGE APPLICABLE TO NONPARTICIPATING PROVIDERS UNDER THE
7 HEALTH BENEFIT PLAN AS LONG AS THE SUPERVISING PROVIDER SUBMITS
8 DOCUMENTATION EVIDENCING THE SUPERVISION.

9 (10) The commissioner shall enforce this section and may
10 ~~promulgate such~~ ADOPT rules as are necessary ~~for the implementation of~~
11 TO IMPLEMENT this section. Upon receiving more than one complaint
12 from an applicant or a participating ~~physician~~ PROVIDER alleging a
13 violation of this section by a carrier, the commissioner shall investigate
14 the complaints. A carrier that fails to comply with this section or with any
15 rules adopted pursuant to this section is subject to ~~such~~ civil penalties as
16 THAT the commissioner may order pursuant to section 10-1-310.

17 **SECTION 3.** In Colorado Revised Statutes, 12-245-404, **amend**
18 (2)(c) as follows:

19 **12-245-404. Qualifications - examination - licensure and**
20 **registration - rules.**

21 (2) The board shall license as a licensed clinical social worker a
22 person who files an application, in a form and manner required by the
23 board, submits the fee required by the board pursuant to section
24 12-245-205, and submits evidence satisfactory to the board that the
25 applicant:

26 (c) Has practiced social work for at least two years under the
27 virtual or in-person supervision of a licensed clinical social worker or
28 other person with equivalent experience as determined by the board,
29 which practice includes training and work experience in the area of
30 clinical social work practice AND INCLUDES AT LEAST THREE THOUSAND
31 HOURS OF PRACTICE; and

32 **SECTION 4. Act subject to petition - effective date.** This act
33 takes effect at 12:01 a.m. on the day following the expiration of the
34 ninety-day period after final adjournment of the general assembly (August
35 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
36 referendum petition is filed pursuant to section 1 (3) of article V of the
37 state constitution against this act or an item, section, or part of this act
38 within such period, then the act, item, section, or part will not take effect
39 unless approved by the people at the general election to be held in
40 November 2026 and, in such case, will take effect on the date of the
41 official declaration of the vote thereon by the governor."

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