

Bulletin No. B-4.148

Concerning Payments to Carriers Related to Abortion Coverage for On-Exchange Individual Health Plan Enrollees Receiving Subsidies

I. Background and Purpose

During the 2023 legislative session, the Colorado State legislature passed Senate Bill (SB) 23-189, which requires carriers to provide coverage for the total cost of abortion care without requiring any cost sharing from enrollees. Carriers offering individual and small group health benefit plans will cover abortion care starting on January 1, 2025.

The purpose of this bulletin is to clarify the Division's position regarding payments to carriers related to the coverage for abortion services for individuals enrolled in on-Exchange plans.

Bulletins are the Division's interpretations of existing insurance law or general statements of Division policy. Bulletins themselves establish neither binding norms nor finally determine issues or rights.

II. Applicability and Scope

This bulletin is intended to provide guidance to all insurance carriers that issue health benefit plans in the individual market beginning on or after January 1, 2025.

III. Division Position

It is the Division's position that for the 2025 plan year, the Health Insurance Affordability Enterprise will disburse payments to carriers for the \$1 per member per month (PMPM) that must be segregated for abortion coverage, pursuant to federal law, for plan members enrolled in individual coverage through Connect for Health Colorado who are receiving Advance Premium Tax Credits.

Carriers are reminded of their obligation to comply with the requirements set forth in 42 U.S.C. § 18023 and 45 C.F.R. § 156.280 related to abortion coverage.

V. History

Issued February 25, 2025.