

September 26, 2023

Commissioner Michael Conway
Colorado Division of Insurance
1560 Broadway, Suite 850
Denver, CO 80202

Submitted electronically to: dora_ins_rulesandrecords@state.co.us

RE: Comments on Proposed New Bulletin No. B-4. 1XX: Concerning Special Enrollment Period Notices for Pregnant Individuals

Dear Commissioner Conway,

The Colorado Children's Campaign and the undersigned organizations are pleased to provide comments in support of the Proposed New Bulletin No. B-4. 1XX: Concerning Special Enrollment Period Notices for Pregnant Individuals.

The Colorado Children's Campaign is a nonprofit, nonpartisan policy, research and advocacy organization committed since 1985 to realizing every chance for every child. Together with our partner organizations and communities across the state, we advocate for the development and implementation of data-driven public policy that improves child and family well-being. We co-convene the Cover All Coloradans Coalition, a coalition of dedicated community organizations, advocates and directly impacted people that was the driving force behind the passage of HB22-1289, *Health Benefits for Colorado Children and Pregnant Persons*, and continues to advocate for equitable implementation of this important policy.

We appreciate the opportunity to comment on DOI's proposed new bulletin, and we enthusiastically support the implementation of this bulletin so that pregnant Coloradans who do not have qualified coverage can be well-informed of the coverage options available for them through this special enrollment period (SEP), thus allowing them to access the health care services they need during their pregnancy.

We are very appreciative to see the options for both retroactive and prospective coverage for pregnant individuals enrolling in this SEP included in the bulletin, as well as the requirement to inform them of the financial and tax implications of these options. Allowing pregnant individuals to have the option to have their coverage start either on the first day of the month in which a health care provider certified their pregnancy or the first day of the month after they select their coverage plan, and giving them the financial and tax information relating to these options, allows pregnant Coloradans to make informed decisions about their coverage that best supports their needs.

We are appreciative that the proposed bulletin explicitly states that the notice provided by the Connect for Health Colorado (C4HCO) Customer Service Center before an individual completes

their application and enrolls in coverage will be provided in both English and Spanish. Considering that English and Spanish are the two most spoken languages in Colorado, this ensures that more pregnant Coloradans will be able to obtain this information without language being a barrier. However, there are many other languages spoken by Coloradans across the state. Therefore, as resources allow, we encourage DOI to consider making the notice available in more languages in the near future so that language is not a barrier for any Coloradan eligible for this SEP.

We noticed that the bulletin states that individuals have to call the C4HCO Customer Service Center to enroll in coverage through the pregnancy SEP. After receiving clarification from both C4HCO and DOI, we understand that this requirement is necessary in order to give pregnant individuals the retroactive coverage option. However, the additional step to call C4HCO may end up being a potential barrier or deterrent for individuals to enroll in coverage through this SEP. Some Coloradans may lack easy access to a phone, and phone calls may be challenging for those with [communication disabilities](#). It may also just be a general inconvenience.

We ask that the Division and C4HCO explore with stakeholders whether customers' needs would be met by creating the option of waiving the retroactive coverage option on the online application, so that customers who are unable to arrange a call can nonetheless take advantage of the pregnancy SEP. We suggest that if possible, C4HCO include in the online application information on the prospective and retroactive coverage options for the pregnancy SEP, and by checking a box on the option they want, this leads them either to an online form to enroll in the prospective coverage option if that is what they check, or instructions to call the C4HCO Customer Service Center if they check the retroactive coverage option. We also encourage C4HCO and DOI to consider ways in the future to include the option of enrolling in the retroactive coverage option for the pregnancy SEP through the online application.

Pregnancy is a critical life period where access to health care coverage to receive prenatal health care services is essential to promoting more positive health outcomes for both the birthing person and their baby. This pregnancy SEP will help mitigate gaps in coverage for pregnant Coloradans, and the materials and information included in the proposed bulletin will help ensure that all Coloradans eligible for this SEP can access this benefit. We thank DOI for the work done on this, and ask that the proposed bulletin be finalized as soon as possible.

Sincerely,

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