



September 12, 2024

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

RE: Comments in support of Draft Proposed Amended Regulation 4-2-56: Concerning Continuity of Care Requirement for ACA-Compliant Health Benefit Plans

Dear Commissioner Conway:

As a leading representative of more than 4,000 small businesses in Colorado, Small Business Majority writes today to comment on the Draft Proposed Amended Regulation 4-2-56: Concerning Continuity of Care Requirement for ACA-Compliant Health Benefit Plans.

Small Business Majority is a small business organization that empowers Colorado's diverse entrepreneurs to build a thriving and equitable economy. As part of our commitment to support public policy solutions that benefit the small business ecosystem, we want to highlight the importance of implementing SB24-093 to ensure the continuity of care. Our [research](#) found that small businesses are struggling with rising healthcare costs, with 24% of small businesses that offer health insurance to employees dropping health coverage altogether because of affordability challenges.

At the same time, insurance carriers are going out of business and these changes can cause additional turmoil for small business owners and their employees. We must ensure they have stability in this existing unstable market. To help support these transitions and close the gap in healthcare plans and insurance carriers, it's crucial to allow continuity of care processes. As healthcare prices continue to rise, small business owners need the flexibility to change their healthcare plan as needed and should not have to be concerned about a disruption in care for their employees.

This is why we support the amended regulation. It will provide the reasonable and necessary leeway through continuity of care requirements needed so that Colorado's small businesses and employees can find a new provider. It's critical that enrollees in Health First Colorado or those with private insurance carriers receive continued care with the enrollee's same healthcare provider or healthcare facility under the enrollee's new health benefit plan at the in-network level under the enrollee's new health benefit plan for specified time periods if certain conditions exist. Without this protection, employers will be forced to make difficult choices between selecting a more affordable health plan or ensuring their workers can continue with their current care. We completely support the implementation of SB24-093 to provide reasonable continuation of healthcare services.

Sincerely,

Hunter Nelson  
Colorado Director, Small Business Majority