

HB1174\_L.055

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB19-1174 be amended as follows:

1 Amend reengrossed bill, page 12, strike line 27.

2 Page 13, strike lines 1 through 13 and substitute:

3           "(c) WITHIN THIRTY DAYS AFTER THE COMMISSIONER APPOINTS AN  
4 ARBITRATOR AND NOTIFIES THE PARTIES OF THE ARBITRATION, BOTH  
5 PARTIES SHALL SUBMIT TO THE ARBITRATOR, IN WRITING, EACH PARTY'S  
6 FINAL OFFER AND EACH PARTY'S ARGUMENT. THE ARBITRATOR SHALL PICK  
7 ONE OF THE TWO AMOUNTS SUBMITTED BY THE PARTIES AS THE  
8 ARBITRATOR'S FINAL AND BINDING DECISION. THE DECISION MUST BE IN  
9 WRITING AND MADE WITHIN FORTY-FIVE DAYS AFTER THE ARBITRATOR'S  
10 APPOINTMENT. IN MAKING THE DECISION, THE ARBITRATOR SHALL  
11 CONSIDER THE CIRCUMSTANCES AND COMPLEXITY OF THE PARTICULAR  
12 CASE, INCLUDING THE FOLLOWING AREAS:

13           (I) THE PROVIDER'S LEVEL OF TRAINING, EDUCATION, EXPERIENCE,  
14 AND SPECIALIZATION OR SUBSPECIALIZATION; AND

15           (II) THE PREVIOUSLY CONTRACTED RATE, IF THE PROVIDER HAD A  
16 CONTRACT WITH THE CARRIER THAT WAS TERMINATED OR EXPIRED WITHIN  
17 ONE YEAR PRIOR TO THE DISPUTE."

18 Page 13, strike lines 17 and 18 and substitute:

19           "(e) THE PARTY WHOSE FINAL OFFER AMOUNT WAS NOT SELECTED  
20 BY THE ARBITRATOR SHALL PAY THE ARBITRATOR'S EXPENSES AND FEES."

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