

HB1296\_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB19-1296 be amended as follows:

1 Amend printed bill, page 22, after line 5 insert:

2           "(b) AT LEAST THIRTY DAYS BEFORE THE COMMISSIONER  
3 PUBLISHES AND SUBMITS THE REPORT PURSUANT TO SUBSECTIONS (2)(c)  
4 AND (2)(d) OF THIS SECTION, THE COMMISSIONER SHALL PROVIDE HEALTH  
5 INSURERS, MANUFACTURERS, AND PHARMACY BENEFIT MANAGEMENT  
6 FIRMS THAT REPORTED DATA TO THE COMMISSIONER PURSUANT TO THIS  
7 PART 11 AN EXPLANATION AND DESCRIPTION OF THE INFORMATION THAT  
8 WILL BE RELEASED IN THE REPORT AND AN OPPORTUNITY TO OBJECT TO  
9 THE RELEASE OF SPECIFIED INFORMATION ON THE GROUNDS THAT THE  
10 INFORMATION IS PROPRIETARY. A HEALTH INSURER, MANUFACTURER, OR  
11 PHARMACY BENEFIT MANAGEMENT FIRM OBJECTING TO THE RELEASE OF  
12 INFORMATION MUST SUBMIT ITS OBJECTION AND INFORMATION  
13 DEMONSTRATING THAT THE SPECIFIED INFORMATION IS PROPRIETARY NO  
14 LATER THAN FIFTEEN DAYS AFTER RECEIPT OF THE EXPLANATION AND  
15 DESCRIPTION FROM THE COMMISSIONER. THE COMMISSIONER SHALL MAKE  
16 A DETERMINATION AND NOTIFY THE OBJECTING PARTY OF THE  
17 DETERMINATION WITHIN FIFTEEN DAYS AFTER RECEIPT OF THE OBJECTION  
18 FROM THE HEALTH INSURER, MANUFACTURER, OR PHARMACY BENEFIT  
19 MANAGEMENT FIRM AND, IF THE COMMISSIONER FINDS IN FAVOR OF THE  
20 OBJECTING PARTY, SHALL REMOVE THE PROPRIETARY INFORMATION FROM  
21 THE REPORT BEFORE PUBLISHING AND SUBMITTING IT PURSUANT TO  
22 SUBSECTIONS (2)(c) AND (2)(d) OF THIS SECTION. THE DETERMINATION OF  
23 THE COMMISSIONER IS FINAL AND IS NOT SUBJECT TO REVIEW."

24 Reletter succeeding paragraphs accordingly.

\*\* \*\* \*\* \*\* \*\*