

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB20-1160 be amended as follows:

1 Amend printed bill, page 20, lines 26 and 27, strike "EXCEPT AS
2 PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, THE" and substitute
3 "THE".

4 Page 21, after line 5 insert:

5 "(III) THE FOLLOWING INFORMATION, TO THE EXTENT THE
6 INFORMATION IS IN THE PUBLIC DOMAIN OR PUBLICLY AVAILABLE:".

7 Page 21, line 6, strike "(III)" and substitute "(A)".

8 Page 21, strike lines 7 through 9 and substitute "TO SECTION 10-16-1206;
9 AND".

10 Page 21, line 10, strike "(IV)" and substitute "(B)".

11 Renumber succeeding subparagraph accordingly.

12 Page 21, strike lines 15 through 27.

13 Page 22, strike lines 1 through 6 and substitute:

14 "(b) EXCEPT AS PROVIDED IN SUBSECTION (1)(a) OF THIS SECTION,
15 THE INFORMATION THE COMMISSIONER RECEIVES IN ACCORDANCE WITH
16 SECTIONS 10-16-1206 AND 10-16-1207 IS NOT A PUBLIC RECORD
17 PURSUANT TO PART 2 OF ARTICLE 72 OF TITLE 24, AND THE COMMISSIONER
18 SHALL NOT PUBLISH THE INFORMATION REPORTED PURSUANT TO THOSE
19 SECTIONS. HOWEVER, THE COMMISSIONER MAY:

20 (I) SHARE THE INFORMATION PUBLICLY IF THE INFORMATION IS
21 DE-IDENTIFIED AND AGGREGATED IN A MANNER TO PREVENT
22 IDENTIFICATION OF THE MANUFACTURER, HEALTH INSURER, OR PHARMACY
23 BENEFIT MANAGEMENT FIRM THAT PROVIDED THE INFORMATION; AND

24 (II) SHARE THE INFORMATION RECEIVED PURSUANT TO SECTIONS
25 10-16-1206 AND 10-16-1207 WITH A DISINTERESTED THIRD PARTY WITH
26 WHOM THE COMMISSIONER CONTRACTS TO PERFORM THE ANALYSIS
27 REQUIRED PURSUANT TO SUBSECTION (2) OF THIS SECTION AND WITH
28 OTHER STATE AGENCIES THAT ARE PURCHASERS UNDER SECTION
29 10-16-1203 (13)(a).".

30 Page 23, strike lines 7 through 25 and substitute:

1 "(III) FOR PURPOSES OF INFORMATION REPORTED TO THE
2 COMMISSIONER PURSUANT TO SECTIONS 10-16-1206 AND 10-16-1207, THE
3 COMMISSIONER, OR A DISINTERESTED THIRD PARTY WITH WHOM THE
4 COMMISSIONER CONTRACTS, SHALL ONLY INCLUDE IN THE REPORT
5 INFORMATION THAT HAS BEEN DE-IDENTIFIED AND AGGREGATED IN A
6 MANNER TO PREVENT IDENTIFICATION OF THE MANUFACTURER, HEALTH
7 INSURER, OR PHARMACY BENEFIT MANAGEMENT FIRM OR THAT IS IN THE
8 PUBLIC DOMAIN OR PUBLICLY AVAILABLE."

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