

HB1365_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health, Insurance, & Environment.

HB18-1365 be amended as follows:

1 Amend printed bill, page 3, after line 1 insert:

2 "(2) (a) The general assembly further finds and declares that:

3 (I) Collaboration among carriers, health care providers, and
4 purchasers of health care to coordinate service delivery systems and to
5 develop innovative reimbursement methods in support of integrated and
6 coordinated health care delivery is in the best interest of the public;

7 (II) Pursuant to *Parker v. Brown*, 317 U.S. 341, state and
8 municipal authorities are immune from federal antitrust lawsuits for
9 actions taken pursuant to a clearly expressed state policy that, when
10 legislated, had foreseeable anticompetitive effects, and that even if a state
11 sanctions anticompetitive conduct, the state is immune from investigation
12 under federal law; and

13 (III) The purpose of House Bill 18-1365 is to establish a primary
14 care payment reform collaborative to study and analyze the effects of
15 primary care, and this purpose has foreseeable anticompetitive effects.

16 (b) The general assembly intends to exempt activities of the
17 primary care payment reform collaborative from the "Colorado Antitrust
18 Act of 1992", section 6-4-101 et seq., and from federal antitrust laws
19 through the state-action doctrine."

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