

HB1160_L.006

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.HB20-1160 be amended as follows:

1 Amend proposed committee amendment (HB1160_L.002), page 1, strike
 2 line 29 and substitute "10-16-1203 (13)(a); EXCEPT THAT THE
 3 DISINTERESTED THIRD PARTY OR A STATE AGENCY PURCHASER THAT
 4 RECEIVES INFORMATION FROM THE COMMISSIONER PURSUANT TO THIS
 5 SUBSECTION (1)(b) SHALL NOT PUBLISH OR OTHERWISE MAKE THE
 6 INFORMATION AVAILABLE TO THE PUBLIC EXCEPT IN ACCORDANCE WITH
 7 SUBSECTION (1)(b)(I) OF THIS SECTION.

8 (c) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, IF A
 9 HEALTH INSURER, MANUFACTURER, OR PHARMACY BENEFIT MANAGEMENT
 10 FIRM CLAIMS THAT INFORMATION CONTAINED IN A REPORT SUBMITTED TO
 11 THE COMMISSIONER IS A TRADE SECRET, PRIVILEGED INFORMATION, OR
 12 CONFIDENTIAL COMMERCIAL OR FINANCIAL DATA IN ACCORDANCE WITH
 13 SECTION 24-72-204 (3)(a)(IV), THE COMMISSIONER SHALL NOT POST THE
 14 INFORMATION ON THE DIVISION'S WEBSITE OR OTHERWISE MAKE THE
 15 INFORMATION AVAILABLE TO THE PUBLIC; EXCEPT THAT THE
 16 COMMISSIONER MAY SHARE THE INFORMATION WITH A DISINTERESTED
 17 THIRD PARTY WITH WHOM THE COMMISSIONER CONTRACTS TO PERFORM
 18 THE ANALYSIS PURSUANT TO SUBSECTION (2) OF THIS SECTION OR WITH
 19 OTHER STATE AGENCIES THAT ARE PURCHASERS, AS DEFINED IN SECTION
 20 10-16-1203 (13)(a), BUT THE DISINTERESTED THIRD PARTY OR A STATE
 21 AGENCY PURCHASER THAT RECEIVES THE INFORMATION SHALL NOT
 22 DISCLOSE THE INFORMATION TO THE PUBLIC. A PERSON DENIED ACCESS TO
 23 THE INFORMATION MAY SEEK REVIEW IN ACCORDANCE WITH SECTION
 24 24-72-204 (5).".

25 Page 2 of the proposed amendment, strike line 1 and substitute:

26 ""(III) THE COMMISSIONER OR A DISINTERESTED THIRD PARTY
 27 WITH WHOM THE COMMISSIONER CONTRACTS TO CONDUCT THE ANALYSIS
 28 SHALL NOT INCLUDE ANY INFORMATION IN THE REPORT THAT A HEALTH
 29 INSURER, MANUFACTURER, OR PHARMACY BENEFIT MANAGEMENT FIRM
 30 CLAIMED, PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION, TO BE A
 31 TRADE SECRET, PRIVILEGED INFORMATION, OR CONFIDENTIAL
 32 COMMERCIAL OR FINANCIAL DATA IN ACCORDANCE WITH SECTION
 33 24-72-204 (3)(a)(IV).

34 (IV) FOR PURPOSES OF INFORMATION REPORTED TO THE".

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