



General Assembly

Substitute Bill No. 6471

January Session, 2011

* _____HB06471INS__031011_____*

AN ACT PROHIBITING MOST FAVORED NATION CLAUSES IN HEALTH CARE PROVIDER CONTRACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (2) of subsection (a) of section 38a-479 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2011*):

4 (2) "Provider" means a physician, surgeon, chiropractor, podiatrist,
5 psychologist, optometrist, natureopath or advanced practice registered
6 nurse licensed in this state or a group or organization of such
7 individuals, who has entered into or renews a participating provider
8 contract with a contracting health organization to render services to
9 such organization's enrollees and [enrollee's] enrollees' dependents.

10 Sec. 2. Section 38a-479b of the general statutes is amended by
11 adding subsection (c) as follows (*Effective October 1, 2011*):

12 (NEW) (c) No contracting health organization shall include in any
13 participating provider contract, contract with a dentist or contract with
14 a hospital licensed under chapter 368v, that is entered into, renewed or
15 amended on or after October 1, 2011, or contract offered to a provider,
16 dentist or hospital on or after October 1, 2011, any clause, covenant or
17 agreement that:

18 (1) Requires the provider, dentist or hospital to:

19 (A) Disclose to the contracting health organization the provider's,
20 dentist's or hospital's payment or reimbursement rates from any other
21 contracting health organization the provider, dentist or hospital has
22 contracted, or may contract, with;

23 (B) Provide services or procedures to the contracting health
24 organization at a payment or reimbursement rate equal to or lower
25 than the lowest of such rates the provider, dentist or hospital has
26 contracted, or may contract, with any other contracting health
27 organization;

28 (C) Certify to the contracting health organization that the provider,
29 dentist or hospital has not contracted with any other contracting health
30 organization to provide services or procedures at a payment or
31 reimbursement rate lower than the rates contracted for with the
32 contracting health organization;

33 (2) Prohibits or limits the provider, dentist or hospital from
34 contracting with any other contracting health organization to provide
35 services or procedures at a payment or reimbursement rate lower than
36 the rates contracted for with the contracting health organization; or

37 (3) Allows the contracting health organization to terminate or
38 renegotiate a contract with the provider, dentist or hospital prior to
39 renewal if the provider, dentist or hospital contracts with any other
40 contracting health organization to provide services or procedures at a
41 lower payment or reimbursement rate than the rates contracted for
42 with the contracting health organization.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	38a-479(a)(2)
Sec. 2	October 1, 2011	38a-479b

INS *Joint Favorable Subst.*