



General Assembly

Amendment

January Session, 2011

LCO No. 6154

HB0647106154HDO

Offered by:

REP. MEGNA, 97th Dist.

SEN. CRISCO, 17th Dist.

To: Subst. House Bill No. 6471

File No. 151

Cal. No. 104

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

1 In line 11, strike "subsection (c)" and insert "subsections (c) and (d)"
2 in lieu thereof

3 In line 12, strike "No" and insert in lieu thereof "Except as provided
4 in subsection (d) of this section, no"

5 After line 42, insert the following:

6 "(NEW) (d) (1) If a contract described in subsection (c) of this section
7 is in effect prior to October 1, 2011, and includes a clause, covenant or
8 agreement set forth under subdivisions (1) to (3), inclusive, of said
9 subsection (c), such clause, covenant or agreement shall be void and
10 unenforceable on the date such contract is next renewed or on January
11 1, 2014, whichever is earlier. Such invalidity shall not affect other
12 provisions of such contract.

13 (2) Nothing in subdivision (1) of this subsection shall be construed

14 to affect the rights of a contracting health organization to enforce such
15 clause, covenant or agreement prior to the invalidation of such clause,
16 covenant or agreement."