

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 8, 2007
Date

Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

SB07-079 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 11, strike lines 5 through 10 and substitute the
2 following:

3 "SERVICES UNDER THE CONTRACT IS AN AFFILIATE OF, SUBSIDIARY OF, OR
4 IS UNDER COMMON OWNERSHIP OR CONTROL WITH THE PERSON OR ENTITY;
5 OR, IS PROVIDING OR RECEIVING ADMINISTRATIVE SERVICES FROM THE
6 PERSON OR ENTITY OR AN AFFILIATE OF, OR SUBSIDIARY OF, OR IS UNDER
7 COMMON OWNERSHIP OR CONTROL WITH THE PERSON OR ENTITY;"

8 Page 13, strike lines 11 and 12 and substitute the following:

9 "(b) A CONTRACT OR AGREEMENT FOR THE EMPLOYMENT OF A
10 HEALTH CARE PROVIDER OR A CONTRACT OR AGREEMENT BETWEEN
11 HEALTH CARE PROVIDERS.";

12 line 21, strike "OR".

13 Page 14, line 1, strike "STATE." and substitute "STATE; OR

14 (f) A CONTRACT OR ARRANGEMENT ENTERED INTO BY A HOSPITAL
15 OR HEALTH CARE FACILITY THAT IS LICENSED OR CERTIFIED PURSUANT TO
16 SECTION 25-3-101, OR ANY OUTPATIENT SERVICE PROVIDER THAT HAS
17 ENTERED INTO A JOINT VENTURE WITH THE HOSPITAL OR IS OWNED BY THE
18 HOSPITAL OR HEALTH CARE FACILITY.";

1 after line 1, insert the following:

2 "(17) A CONTRACT BETWEEN A PHARMACIST OR A PHARMACY AND
3 A PHARMACY BENEFIT MANAGER, SUCH AS A PHARMACY BENEFIT
4 MANAGEMENT FIRM AS DEFINED IN SECTION 10-16-102, C.R.S., SHALL BE
5 TERMINATED IF THE FEDERAL DRUG ENFORCEMENT AGENCY OR OTHER
6 FEDERAL LAW ENFORCEMENT AGENCY CEASES THE OPERATIONS OF THE
7 PHARMACIST OR PHARMACY DUE TO ALLEGED OR ACTUAL CRIMINAL
8 ACTIVITY."

9 Renumber succeeding subsections accordingly.

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