

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

January 28, 2016
Date

Committee on Health & Human Services.

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

SB16-009 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, page 2, strike lines 7 to 26 and substitute:

2 "(v) Sharing any professional fees with anyone except those with
3 whom the dentist or dental hygienist is lawfully associated in the practice
4 of dentistry or dental hygiene; except that:

5 (I) A licensed dentist or dental hygienist may pay an independent
6 advertising or marketing agent compensation for advertising or marketing
7 services rendered by the agent for the benefit of the licensed dentist or
8 dental hygienist, including compensation that is based on the results or
9 performance of the services on a per-patient basis; AND

10 (II) NOTHING IN THIS SECTION PROHIBITS A DENTIST OR DENTAL
11 HYGIENIST PRACTICE OWNED OR OPERATED BY A PROPRIETOR AUTHORIZED
12 UNDER SECTION 12-35-116.5 FROM CONTRACTING WITH ANY PERSON OR
13 ENTITY FOR BUSINESS MANAGEMENT SERVICES OR PAYING A ROYALTY IN
14 ACCORDANCE WITH A FRANCHISE AGREEMENT IF THE TERMS OF THE
15 CONTRACT OR FRANCHISE AGREEMENT DO NOT AFFECT THE EXERCISE OF
16 THE INDEPENDENT PROFESSIONAL JUDGMENT OF THE DENTIST OR DENTAL
17 HYGIENIST."

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