

HB1096\_L.007

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1096 be amended as follows:

1 Amend reengrossed bill, page 4, after line 23 insert:

2 "(5) A DIRECT PRIMARY HEALTH-CARE PROVIDER SHALL NOT  
3 KNOWINGLY MARKET OR ADVERTISE DIRECT PRIMARY CARE SERVICES TO  
4 A MEMBER IF IT CAN REASONABLY BE INTERPRETED AS INTENDED TO  
5 INFLUENCE THE PURCHASE OF OR AGREEMENT TO RECEIVE DIRECT  
6 PRIMARY CARE SERVICES. PROHIBITED ACTIVITIES INCLUDE:

7 (a) CONTACTING A MEMBER TO DISCUSS BENEFITS OF THE DIRECT  
8 PRIMARY HEALTH-CARE PROVIDER'S PRIMARY CARE SERVICES;

9 (b) OFFERING A FINDER'S FEE OR PAYMENT TO A THIRD-PARTY IN  
10 EXCHANGE FOR REFERRING A MEMBER TO A DIRECT PRIMARY  
11 HEALTH-CARE PROVIDER;

12 (c) DIRECTLY OR INDIRECTLY ENGAGING IN DOOR-TO-DOOR,  
13 TELEPHONE, MAIL, TEXT, EMAIL, OR OTHER COLD-CALL MARKETING  
14 ACTIVITIES PERFORMED BY THE DIRECT PRIMARY HEALTH-CARE PROVIDER  
15 OR THE DIRECT PRIMARY HEALTH-CARE PROVIDER'S EMPLOYEES,  
16 AFFILIATED PROVIDERS, AGENTS, OR CONTRACTORS;

17 (d) DELIBERATELY MISINTERPRETING OR MISREPRESENTING THE  
18 COLORADO MEDICAL ASSISTANCE PROGRAM REGULATIONS OR ELIGIBILITY  
19 REQUIREMENTS;

20 (e) DISTRIBUTING DIRECT PRIMARY-CARE-RELATED MARKETING  
21 MATERIALS DIRECTLY TO MEMBERS; AND

22 (f) ENGAGING IN UNFAIR OR DECEPTIVE ACTS OR TRADE PRACTICES  
23 IN CONNECTION WITH MARKETING ACTIVITIES."

24 Renumber succeeding subsections accordingly.

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