

HOUSE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Health & Insurance.

HB20-1160 be amended as follows:

1 Amend proposed committee amendment (HB1160\_L.002), page 1, strike  
2 line 29 and substitute "10-16-1203 (13)(a); EXCEPT THAT THE  
3 DISINTERESTED THIRD PARTY OR A STATE AGENCY PURCHASER THAT  
4 RECEIVES INFORMATION FROM THE COMMISSIONER PURSUANT TO THIS  
5 SUBSECTION (1)(b) SHALL NOT PUBLISH OR OTHERWISE MAKE THE  
6 INFORMATION AVAILABLE TO THE PUBLIC EXCEPT IN ACCORDANCE WITH  
7 SUBSECTION (1)(b)(I) OF THIS SECTION.

8 (c) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, IF A  
9 HEALTH INSURER, MANUFACTURER, OR PHARMACY BENEFIT MANAGEMENT  
10 FIRM CLAIMS THAT INFORMATION CONTAINED IN A REPORT SUBMITTED TO  
11 THE COMMISSIONER IS A TRADE SECRET, PRIVILEGED INFORMATION, OR  
12 CONFIDENTIAL COMMERCIAL OR FINANCIAL DATA IN ACCORDANCE WITH  
13 SECTION 24-72-204 (3)(a)(IV), THE COMMISSIONER SHALL NOT POST THE  
14 INFORMATION ON THE DIVISION'S WEBSITE OR OTHERWISE MAKE THE  
15 INFORMATION AVAILABLE TO THE PUBLIC; EXCEPT THAT THE  
16 COMMISSIONER MAY SHARE THE INFORMATION WITH A DISINTERESTED  
17 THIRD PARTY WITH WHOM THE COMMISSIONER CONTRACTS TO PERFORM  
18 THE ANALYSIS PURSUANT TO SUBSECTION (2) OF THIS SECTION OR WITH  
19 OTHER STATE AGENCIES THAT ARE PURCHASERS, AS DEFINED IN SECTION  
20 10-16-1203 (13)(a), BUT THE DISINTERESTED THIRD PARTY OR A STATE  
21 AGENCY PURCHASER THAT RECEIVES THE INFORMATION SHALL NOT  
22 DISCLOSE THE INFORMATION TO THE PUBLIC. A PERSON DENIED ACCESS TO  
23 THE INFORMATION MAY SEEK REVIEW IN ACCORDANCE WITH SECTION  
24 24-72-204 (5)."."

25 Page 2 of the proposed amendment, strike line 1 and substitute:

26 ""(III) THE COMMISSIONER OR A DISINTERESTED THIRD PARTY  
27 WITH WHOM THE COMMISSIONER CONTRACTS TO CONDUCT THE ANALYSIS  
28 SHALL NOT INCLUDE ANY INFORMATION IN THE REPORT THAT A HEALTH  
29 INSURER, MANUFACTURER, OR PHARMACY BENEFIT MANAGEMENT FIRM  
30 CLAIMED, PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION, TO BE A  
31 TRADE SECRET, PRIVILEGED INFORMATION, OR CONFIDENTIAL  
32 COMMERCIAL OR FINANCIAL DATA IN ACCORDANCE WITH SECTION  
33 24-72-204 (3)(a)(IV).

34 (IV) FOR PURPOSES OF INFORMATION REPORTED TO THE".

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