

SENATE COMMITTEE OF REFERENCE AMENDMENT
Committee on Judiciary.

HB19-1174 be amended as follows:

1 Amend reengrossed bill, page 12, strike line 27.

2 Page 13, strike lines 1 through 13 and substitute:

3 "(c) WITHIN THIRTY DAYS AFTER THE COMMISSIONER APPOINTS AN
4 ARBITRATOR AND NOTIFIES THE PARTIES OF THE ARBITRATION, BOTH
5 PARTIES SHALL SUBMIT TO THE ARBITRATOR, IN WRITING, EACH PARTY'S
6 FINAL OFFER AND EACH PARTY'S ARGUMENT. THE ARBITRATOR SHALL PICK
7 ONE OF THE TWO AMOUNTS SUBMITTED BY THE PARTIES AS THE
8 ARBITRATOR'S FINAL AND BINDING DECISION. THE DECISION MUST BE IN
9 WRITING AND MADE WITHIN FORTY-FIVE DAYS AFTER THE ARBITRATOR'S
10 APPOINTMENT. IN MAKING THE DECISION, THE ARBITRATOR SHALL
11 CONSIDER THE CIRCUMSTANCES AND COMPLEXITY OF THE PARTICULAR
12 CASE, INCLUDING THE FOLLOWING AREAS:

13 (I) THE PROVIDER'S LEVEL OF TRAINING, EDUCATION, EXPERIENCE,
14 AND SPECIALIZATION OR SUBSPECIALIZATION; AND

15 (II) THE PREVIOUSLY CONTRACTED RATE, IF THE PROVIDER HAD A
16 CONTRACT WITH THE CARRIER THAT WAS TERMINATED OR EXPIRED WITHIN
17 ONE YEAR PRIOR TO THE DISPUTE.".

18 Page 13, strike lines 17 and 18 and substitute:

19 "(e) THE PARTY WHOSE FINAL OFFER AMOUNT WAS NOT SELECTED
20 BY THE ARBITRATOR SHALL PAY THE ARBITRATOR'S EXPENSES AND FEES.".

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