

Amend printed bill, page 2, strike everything below the enacting clause and substitute the following:

**"SECTION 1.** Part 7 of article 16 of title 10, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**10-16-705.5. Contract head notes.** (1) A CONTRACT BETWEEN A LICENSED HEALTH CARE PROVIDER, AS DEFINED IN SECTION 10-16-102 (26.3), AND A CARRIER, AS DEFINED IN SECTION 10-16-102 (8), SHALL INCLUDE THE FOLLOWING HEAD NOTES IN THE FOLLOWING ORDER:

- (a) NAMES AND ADDRESS OF THE PARTIES;
- (b) FACTUAL RECITALS;
- (c) TERM OF THE CONTRACT;
- (d) ORDER OF PRECEDENCE OF DOCUMENTS;
- (e) SCOPE OF WORK AND LICENSED HEALTH CARE PROVIDER'S RESPONSIBILITIES;
- (f) CONSIDERATION OR PAYMENT TERMS;
- (g) TERMINATION FOR CAUSE;
- (h) TERMINATION FOR CONVENIENCE;
- (i) DISPUTE RESOLUTION;
- (j) NAME, ADDRESS, AND TELEPHONE NUMBER OF PARTIES TO BE NOTIFIED OF A DISPUTE OR AMENDMENT TO THE CONTRACT;
- (k) ASSIGNMENT AND SUCCESSORS;
- (l) SEVERABILITY;
- (m) ENTIRE UNDERSTANDING AND PROCESS FOR AMENDMENTS;
- (n) CHANGES TO THE SCOPE OF WORK AND LICENSED HEALTH CARE PROVIDER'S RESPONSIBILITIES;
- (o) SURVIVAL OF THE TERMS;
- (p) CHANGES PURSUANT TO CHANGES IN LAW;

- (q) REMEDIES;
- (r) WAIVER AND ESTOPPEL;
- (s) ANY OTHER PROVISION AGREED TO BY THE PARTIES; AND
- (t) SIGNATURE BLOCKS FOR AUTHORIZED PARTIES EXECUTING THE CONTRACT.

(2) IF THE CONTRACT PURSUANT TO SUBSECTION (1) OF THIS SECTION REFERS TO ADDENDA, THE ADDENDA SHALL APPEAR IN THE FOLLOWING ORDER:

- (a) A FEE SCHEDULE FOR, COMPENSATION TO BE PAID, OR METHODOLOGY USED TO CALCULATE PAYMENT TO THE LICENSED HEALTH CARE PROVIDER;
- (b) OPTION TO RENEW LETTER; AND
- (c) ANY OTHER ADDENDA REFERRED TO IN THE CONTRACT IN ORDER OF APPEARANCE IN THE CONTRACT.

(3) A CARRIER SHALL NOT DISCRIMINATE OR RETALIATE AGAINST A LICENSED HEALTH CARE PROVIDER FOR USING THE STANDARD CONTRACT HEAD NOTES PURSUANT TO SUBSECTION (1) OF THIS SECTION OR FOR ASSERTING OR ENFORCING THE RIGHTS AND OBLIGATIONS LEGALLY PROVIDED UNDER A FULLY EXECUTED CONTRACT BETWEEN THE CARRIER AND THE LICENSED HEALTH CARE PROVIDER. DISCRIMINATION SHALL INCLUDE, BUT NOT BE LIMITED TO, OFFERING OR PROVIDING ANY FINANCIAL OR OTHER BENEFIT FOR NOT USING THE CONTRACT HEAD NOTES.

(4) A CARRIER SHALL NOT REQUIRE A LICENSED HEALTH CARE PROVIDER TO WAIVE ANY PROVISION OF STATE OR FEDERAL LAW UNDER A CONTRACT.

(5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, A HEALTH MAINTENANCE ORGANIZATION THAT EXCLUSIVELY CONTRACTS WITH A SINGLE MEDICAL GROUP IN A SPECIFIC GEOGRAPHIC AREA TO PROVIDE OR ARRANGE FOR HEALTH CARE SERVICES SHALL NOT BE REQUIRED TO USE THE STANDARD HEAD NOTES PURSUANT TO SUBSECTION (1) OF THIS SECTION.

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor