

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Rommel offered the following:

3
4 **Amendment**

5 Remove lines 51-77 and insert:

6 statistically reliable benchmarking database maintained by an
7 independent, nonprofit organization that, at least annually,
8 reports a range of percentile ranks for imputed allowed amount
9 benchmarks similar to the FAIR Health Database as it exists on
10 July 1, 2019. The organization must:

11 1. Be designated by the Commissioner of Insurance
12 Regulation;

13 2. Have reported a range of percentile benchmarks each
14 year for at least 5 years using the official codes for such
15 services, procedures, or equipment; and

Amendment No.

16 3. Be unaffiliated with any carrier, provider, or other
17 stakeholder in the health care industry.

18
19 Whether the claimant is a Medicare or Medicaid beneficiary is
20 inadmissible at trial.

21 (b) If the claimant has coverage for such services,
22 procedures, or equipment from a commercial insurance carrier or
23 under a plan self-funded by the claimant's employer but, in lieu
24 of such coverage, chooses for those services, procedures, or
25 equipment to be provided by a health care provider who
26 contractually agrees to defer payment until recovery from the
27 claimant's damages award or settlement, evidence must be
28 introduced at trial of the usual and customary rates for such
29 services, procedures, or equipment at the 85th percentile rank
30 of the imputed allowed amount benchmarks as reported in a
31 statistically