

UNFAIR TRADE AND CLAIMS SETTLEMENT PRACTICES

Section

120-2-20-.03 Unlawful Agreements between Insurers and Hospitals.
120-2-20-.04 Severability.

120-2-20-.03 Unlawful Agreements between Insurers and Hospitals.

- (1) An agreement between an insurer and a hospital shall not:
- (a) Prohibit, or grant the insurer an option to prohibit, a hospital from contracting with another party to provide services at a lower rate than the payment or reimbursement rate specified in the contract;
 - (b) Require, or grant the insurer an option to require, a hospital to accept a lower payment or reimbursement rate if the hospital agrees to provide services to another party at a lower rate than the payment or reimbursement rate specified in the contract;
 - (c) Require, or grant a contracting insurer an option to require, termination or renegotiation of an existing contract the event the hospital agrees to provide services to any other party at a lower rate; or
 - (d) Require a hospital to disclose, to the insurer or its designee, the hospital's contractual payment or reimbursement rates with other parties.
- (2) The Commissioner shall follow the procedure set forth in O.C.G.A. § 33-6-13(d) whenever there is a violation of this regulation.

Authority O.C.G.A. Secs. 33-2-9, 33-6-13.

120-2-20-.04 Severability.

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

Authority O.C.G.A. Secs. 33-2-9, 33-6-36, 33-32-1, 33-34-8, 50-13-3, 50-13-4, 50-13-21.