



General Assembly

January Session, 2007

Amendment

LCO No. 7870

HB0732207870HDO

Offered by:

REP. O'CONNOR, 35th Dist.

REP. SAYERS, 60th Dist.

REP. WITKOS, 17th Dist.

To: Subst. House Bill No. 7322

File No. 842

Cal. No. 323

"AN ACT CONCERNING MEDICAID MANAGED CARE REFORM."

1 Strike section 2 in its entirety and insert the following in lieu thereof:

2 "Sec. 2. Section 1-218 of the general statutes is repealed and the
3 following is substituted in lieu thereof (*Effective from passage*):

4 (a) Each contract in excess of two million five hundred thousand
5 dollars between a public agency and a person for the performance of a
6 governmental function shall (1) provide that the public agency is
7 entitled to receive a copy of records and files related to the
8 performance of the governmental function, and (2) indicate that such
9 records and files are subject to the Freedom of Information Act and
10 may be disclosed by the public agency pursuant to the Freedom of
11 Information Act, provided that any person performing a governmental
12 function may assert any applicable statutory exemption which
13 precludes disclosure of a record. No request to inspect or copy such
14 records or files shall be valid unless the request is made to the public

15 agency in accordance with the Freedom of Information Act. Any
16 complaint by a person who is denied the right to inspect or copy such
17 records or files shall be brought to the Freedom of Information
18 Commission in accordance with the provisions of sections 1-205 and 1-
19 206 and any person performing a governmental function shall be
20 deemed a party to any proceeding to adjudicate such complaint.

21 (b) Notwithstanding any other provision of the general statutes, any
22 managed care organization providing managed care services or
23 administrative services to the Department of Social Services under
24 contracts authorized by section 17b-28a or 17b-192 shall be subject to
25 the provisions of subsection (a) of this section, with regard to records
26 and files created for the purpose of performing a governmental
27 function under such a contract. The obligation of a managed care
28 organization to disclose information in response to requests pursuant
29 to this section shall be limited to records or files created for the
30 purpose of performing a governmental function under its contract
31 with the department and shall not, for any purpose, extend to
32 documents related to other programs or functions of the managed care
33 organization. The rates paid by the managed care organizations to
34 providers of medical services for Medicaid managed care services shall
35 be disclosed to the department and may be disclosed by the
36 department pursuant to this section."