California Code Of Regulations
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Title 28@ Managed Health Care
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Division 1@ The Department of Managed Health Care
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Chapter 2@ Health Care Service Plans
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Article 7@ Standards
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Section 1300.67.8@ Contracts with Providers

CA

1300.67.8 Contracts with Providers

Written contracts must be executed between the plan and each provider of health care services which regularly furnishes services under the plan. All contracts with providers shall be subject to the following requirements:

(a)

A written contract shall be prepared or arranged in a manner which permits confidential treatment by the Director of payment rendered or to be rendered to the provider without concealment or misunderstanding of other terms and provisions of the contract.

(b)

The contract shall require that the provider maintain such records and provide such information to the plan or to the Director as may be necessary for compliance by the plan with the provisions of the Act and the rules thereunder, that such records will be retained by the provider for at least two years, and that such obligation is not terminated upon a termination of the agreement, whether by rescission or otherwise. (See Section 1300.75.1)

(c)

That the plan shall have access at reasonable times upon demand to the books, records and papers of the provider relating to the health care services provided to subscribers and enrollees, to the cost thereof, to payments received by the provider from subscribers and enrollees of the plan (or from others on their

behalf), and, unless the   provider is compensated on a fee-for-service basis, to the financial condition   of the provider.

(d)

The contract   shall prohibit surcharges for covered services and shall provide that whenever   the plan receives notice of any such surcharge it shall take appropriate action.

(e)

The contract shall   contain provisions complying with Section   1379 of the Act and requiring   that, upon termination of the contract of the provider for any cause, such   provider shall comply with the provisions of subdivision (a)(10) of Section 1300.67.4.