

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2009**

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**HOUSE JOINT RESOLUTION 2004**

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Sponsors: Representatives Insko; England, Faison, Glazier, and Harrison.

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Referred to: Health, if favorable, Rules, Calendar, and Operations of the House.

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May 26, 2010

1 A JOINT RESOLUTION AUTHORIZING THE JOINT LEGISLATIVE HEALTH CARE  
2 OVERSIGHT COMMITTEE TO STUDY THE USE AND EFFECT OF "MOST  
3 FAVORED NATION" CLAUSES IN CONTRACTS BETWEEN INSURERS AND  
4 HEALTH CARE PROVIDERS IN NORTH CAROLINA, AND IN OTHER STATES.

5 Be it resolved by the House of Representatives, the Senate concurring:

6 **SECTION 1.** The Joint Legislative Health Care Oversight Committee (Committee)  
7 may study the use of "Most Favored Nation" (MFN) clauses in contracts between insurers and  
8 health care providers in North Carolina. In conducting the study, the Committee should  
9 consider:

- 10 (1) The extent to which MFN clauses are included in contracts between insurers  
11 and health care providers in our State, and in the nation as a whole.  
12 (2) The most common forms and elements of MFN clauses included in contracts  
13 between insurers and health care providers.  
14 (3) The effect that inclusion of MFN clauses in contracts between insurers and  
15 health care providers has on health care, the health care marketplace, and  
16 health care costs, in our State.  
17 (4) The effect that prohibiting the use of MFN clauses in contracts between  
18 insurers and health care providers has had in those states that have prohibited  
19 their use.  
20 (5) Any other issue relating to the use or prohibition of MFN clauses in  
21 contracts between insurers and health care providers that the Committee  
22 deems appropriate.

23 **SECTION 2.** The Committee may make an interim report to the 2011 General  
24 Assembly, and shall make its final report to the 2011 General Assembly, Regular Session 2012.

25 **SECTION 3.** This resolution is effective upon ratification.

