**Section 2051.300 Requirements for Agreements with Other Administrators**

a) Before entering into a contract with another administrator to administer programs, policies or subscriber contracts in this State as provided by Section 370i(b)(2) of the Act, an administrator shall perform due diligence to ensure the other entity is properly registered under this Part or otherwise appropriately licensed under the Code.

b) Any provider contract or preferred provider program that is sold, leased, assigned, assumed or otherwise delegated must have the terms of that transaction affecting the provision of health care services by providers, including any additional discount, repricing or other consideration, clearly described in the contract. The administrator or payor accessing the provider network shall be contractually obligated to comply with all applicable terms, limitations and conditions of the provider network contract, including all appendices, policies and fee schedules. An administrator shall provide to the provider upon request a written or electronic list of all current payors to which the provider contract or program has been sold, leased, assigned, assumed or otherwise delegated.

c) An administrator shall approve in writing, prior to use, all advertisements, marketing materials, brochures and, if applicable, identification cards used by any other administrator to market, promote, sell or enroll members in its preferred provider program.

d) No preferred provider program may be sold, leased, assigned, assumed or otherwise delegated to another administrator without the prior written consent of the providers contracting under the program. A clause within the provider contract allowing assignment will be deemed consent so long as the assignment is in accordance with terms of the contract. The assignee must comply with all the terms and conditions of the contract being assigned, including all checklists, policies and fee schedules.

(Source: Amended at 43 Ill. Reg. 11356, effective September 24, 2019)