

**Office of Personnel Management**

**1604.7201**

**Subpart 1604.7—Contractor  
Records Retention**

**1604.703 Policy.**

In view of the unique payment schedules of FEHBP contracts and the compelling need for records retention periods sufficient to protect the Government's interest, contractors shall be required to maintain records for periods determined in accordance with the provisions of FAR 4.703(b)(1).

**1604.705 Specific retention periods.**

Unless the contracting officer determines that there exists a compelling reason to include only the contract clause specified by FAR 52.215-2 "Audit & Records—Negotiation," the contracting officer shall insert the clause at 1652.204-70 in all FEHBP contracts.

[52 FR 16039, May 1, 1987, as amended at 62 FR 47574, Sept. 10, 1997]

**Subpart 1604.9—Taxpayer  
Identification Number**

SOURCE: 65 FR 36386, June 8, 2000, unless otherwise noted.

**1604.970 Taxpayer Identification Number.**

Insert the clause at section 1652.204-73 in all FEHBP contracts.

**Subpart 1604.70—Coordination of  
Benefits**

**1604.7001 Coordination of benefits clause.**

OPM expects all FEHBP plans to coordinate benefits. Accordingly, the clause set forth at 1652.204-71 shall be inserted in all FEHBP contracts.

**Subpart 1604.71—Disputed Health  
Benefit Claims**

**1604.7101 Filing health benefit claims/  
court review of disputed claims.**

Guidelines for a Federal Employees Health Benefit (FEHB) Program covered individual to file a claim for payment or service and for legal actions on disputed health benefit claims are found at 5 CFR 890.105 and 890.107, respectively. The contract clause at

1652.204-72 of this chapter, reflecting this guidance, must be inserted in all FEHB Program contracts.

[61 FR 15198, Apr. 5, 1996]

**Subpart 1604.72—Large Provider  
Agreements**

SOURCE: 70 FR 31379, June 1, 2005, unless otherwise noted.

AUTHORITY: 5 U.S.C. 8913; 40 U.S.C. 486(c); 48 CFR 1.301.

**1604.7201 FEHB Program Large Provider Agreements.**

The following provisions apply to all experience-rated carriers participating in the FEHB Program:

(a) *Notification and information requirements.* (1) All experience-rated carriers must provide notice to the contracting officer of their intent to enter into or to make a significant modification to a Large Provider Agreement. Significant modification means a 20% increase or more in the amount of the Large Provider Agreement:

(i) Not less than 60 days before entering into any Large Provider Agreement; and

(ii) Not less than 60 days before exercising renewals or other options, or making a significant modification.

(2) The carrier's notification to the contracting officer must be in writing and must, at a minimum:

(i) Describe the supplies and/or services the proposed provider agreement will require;

(ii) Identify the proposed basis for reimbursement;

(iii) Identify the proposed provider agreement, explain why the carrier selected the proposed provider, and, where applicable, what contracting method it used, including the kind of competition obtained;

(iv) Describe the methodology the carrier used to compute the provider's profit; and, (v) Describe the provider risk provisions.

(3) The contracting officer may request from the carrier any additional information on a proposed provider agreement and its terms and conditions prior to a Large Provider award and during the performance of the agreement.