

**(d) Impact of this Agreement on Standard Form Agreements and Individually Negotiated Contracts.**

- (i) Company's future standard form agreements with Participating Physicians shall not be inconsistent with the commitments and undertakings Company makes in this Agreement. To the extent that Company's existing standard form agreements with Participating Physicians contain provisions inconsistent with the terms hereof, Company shall administer such agreements consistent with the terms set forth in this Agreement.
- (ii) Where Company and a Participating Physician, Physician Group or Physician Organization have an Individually Negotiated Contract, this Agreement shall not modify or nullify the inconsistent terms of such Individually Negotiated Contract unless the Participating Physician, Physician Group or Physician Organization notifies Company in writing no later than sixty (60) days after notice of Preliminary Approval, specifically setting forth the terms it seeks to have modified or nullified by this Agreement; provided, however, that (1) with respect to Company's use of Edits, Company shall administer Individually Negotiated Contracts consistent with the terms set forth in this Agreement and (2) the Agreement shall not modify or nullify the terms of Individually Negotiated Contracts with respect to those terms the Agreement expressly states either are unaffected by the Agreement or are controlled by Individually Negotiated Contracts.
- (iii) With respect to Individually Negotiated Contracts executed after the Preliminary Approval Date of this Agreement, Company may agree with individual Participating Physicians, Physician Groups or Physician Organizations on terms that deviate from the terms of this Agreement relating to higher or customized rates, length of term of the contract, and/or other customized payment methodologies or as otherwise permitted under §§ 7.13(b), 7.13(c), 7.14(a), 7.14(b), 7.28(a), and 7.28(c). In addition, Company may agree with individual Participating Physicians, Physician Groups or Physician Organizations on terms that deviate from any other terms of this Agreement upon request of such individual Participating Physicians, Physician Groups or Physician Organizations.