

Regular Session, 2003

ACT No. 672

HOUSE BILL NO. 1765

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 22:250.38(B) and (E) and to enact R.S. 22:250.38(F), relative to recoupment of payments; to provide for appeal of health insurer's action; to allow a health care provider thirty days to provide certain information to the insurer; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:250.38(B) and (E) are hereby amended and reenacted and R.S. 22:250.38(F) is hereby enacted to read as follows:

§250.38. Recoupment of health insurance claims payments

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B. Prior to any recoupment unrelated to a claim for payment of medical services provided by a health care provider or any other amount owed by a health insurance issuer to a health care provider, the health insurance issuer shall provide the health care provider written notification that includes the name of the patient, the date or dates of health care services rendered, and an explanation of the reason for recoupment. ~~If the recoupment directly affects the payment responsibility of the insured, the health insurance issuer shall provide at the same time a revised explanation of benefits to the health care~~

~~provider and the covered person for whose claim the recoupment is being made.~~ A health care provider shall be allowed thirty days from receipt of written notification of recoupment to appeal the health insurance issuer's action and to provide the health insurance issuer the name of the patient, the date or dates of health care services rendered, and an explanation of the reason for the appeal.

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E. ~~The provisions of this Section shall not apply to the Office of Group Benefits.~~ If the recoupment directly affects the payment responsibility of the insured, the health insurance issuer shall provide at the same time a revised explanation of benefits to the health care provider and the covered person for whose claim the recoupment is being made. Unless the recoupment of a health insurance claim payment directly affects the payment responsibility of the insured, such recoupment shall not result in any increased liability of an insured.

~~E. F.~~ The provisions of this Section shall not apply to the Office of Group Benefits.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____