

HB0639/176587/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 639

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waldstreicher” and substitute “Waldstreicher, Hill, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young”; in line 2, strike “- Prohibited” and substitute “or Electronic Funds Transfer Payment Method”; in line 3, strike “prohibiting” and substitute “authorizing”; in line 4, strike “from paying” and substitute “, under certain circumstances, to pay”; and in line 5, after “card” insert “or electronic funds transfer payment method that imposes a fee or similar charge; requiring the acceptance by a certain provider or the provider’s designee of a certain payment method to apply to certain claims”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 25, inclusive, and substitute:

**“(D) (1) (I) IN THIS SUBSECTION, “CREDIT CARD” MEANS A CREDIT, DEBIT, PREPAID, OR STORED-VALUE CARD USED TO MAKE A PAYMENT THROUGH A PRIVATE CARD NETWORK.**

**(II) “CREDIT CARD” INCLUDES A METHOD OF PAYMENT TO A PROVIDER WHERE NO PHYSICAL CARD IS PRESENTED.**

**(2) AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH MAINTENANCE ORGANIZATION MAY PAY A CLAIM UNDER SUBSECTION (C) OF THIS SECTION, OR A PORTION OF A CLAIM UNDER SUBSECTION (F) OF THIS SECTION, USING A CREDIT CARD OR AN ELECTRONIC FUNDS TRANSFER PAYMENT**

(Over)

METHOD THAT IMPOSES ON THE PROVIDER A FEE OR SIMILAR CHARGE TO  
PROCESS THE PAYMENT IF:

(I) THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR  
HEALTH MAINTENANCE ORGANIZATION NOTIFIES THE PROVIDER IN ADVANCE OF  
THE PAYMENT THAT:

1. A FEE OR SIMILAR CHARGE ASSOCIATED WITH THE  
USE OF THE CREDIT CARD OR ELECTRONIC FUNDS TRANSFER PAYMENT METHOD  
WILL APPLY; AND

2. THE PROVIDER WILL NEED TO CONSULT THE  
PROVIDER'S MERCHANT PROCESSOR OR FINANCIAL INSTITUTION FOR THE  
SPECIFIC RATES;

(II) THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR  
HEALTH MAINTENANCE ORGANIZATION OFFERS THE PROVIDER AN  
ALTERNATIVE PAYMENT METHOD THAT DOES NOT IMPOSE A FEE OR SIMILAR  
CHARGE ON THE PROVIDER; AND

(III) THE PROVIDER OR THE PROVIDER'S DESIGNEE ELECTS  
TO ACCEPT PAYMENT OF THE CLAIM OR A PORTION OF THE CLAIM USING THE  
CREDIT CARD OR ELECTRONIC FUNDS TRANSFER PAYMENT METHOD.

(3) IF A PROVIDER PARTICIPATES ON A PROVIDER PANEL OF AN  
INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH MAINTENANCE  
ORGANIZATION, THE ACCEPTANCE BY THE PROVIDER OR THE PROVIDER'S  
DESIGNEE OF A PAYMENT METHOD OFFERED UNDER PARAGRAPH (2)(II) OF THIS  
SUBSECTION OR ELECTED UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION

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**SHALL APPLY TO ALL CLAIMS PAID FOR BY THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION UNLESS OTHERWISE NOTIFIED BY THE PROVIDER OR THE PROVIDER'S DESIGNEE."**