

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 444

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Dorman" and substitute "Senators Dorman and Ruben"; strike beginning with "prohibiting" in line 4 down through "circumstances;" in line 7 and substitute "making retroactive denial of reimbursement by a health insurance carrier to a health care provider under certain circumstances an unfair claim settlement practice; clarifying the applicability of Chapter 163 of the Acts of 1997; providing for the effective date of this Act;"; and in line 11, after "15-1008" insert "and 27-303".

AMENDMENT NO. 2

On page 2, in lines 9 and 12, in each instance, after "provider" insert ", REGARDLESS OF THE DATE OF SERVICE"; strike in their entirety lines 13 through 17, inclusive; and in line 18, strike "(3)" and substitute "(2)".

AMENDMENT NO. 3

On page 2, after line 38 insert:

"27-303.

It is an unfair claim settlement practice and a violation of this subtitle for an insurer or nonprofit health service plan to:

(1) misrepresent pertinent facts or policy provisions that relate to the claim or coverage at issue;

(2) refuse to pay a claim for an arbitrary or capricious reason based on all available information;

(Over)

(3) attempt to settle a claim based on an application that is altered without notice to, or the knowledge or consent of, the insured;

(4) fail to include with each claim paid to an insured or beneficiary a statement of the coverage under which payment is being made;

(5) fail to settle a claim promptly whenever liability is reasonably clear under one part of a policy, in order to influence settlements under other parts of the policy;

(6) fail to provide promptly on request a reasonable explanation of the basis for a denial of a claim; [or]

(7) fail to meet the requirements of Title 19, Subtitle 13 of the Health - General Article for preauthorization for a health care service; OR

(8) FAIL TO MEET THE REQUIREMENTS OF § 15-1008 OF THIS ARTICLE REGARDING RETROACTIVE DENIAL OF REIMBURSEMENT.”.

AMENDMENT NO. 4

On page 2, before line 39 insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of Chapter 163 of the Acts of 1997 of this Act applies to acts of retroactive denial or collection occurring on or after October 1, 1997 regardless of the date of service.”.

On page 2, in line 39, strike “2.” and substitute “3.”; and in line 40, strike “October 1” and substitute “June 1”.