

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 250

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “defining what constitutes improper coding for the purposes of” and substitute “clarifying the circumstances under which”; and in line 5, after “reimbursement” insert “is effective; providing for the application of this Act; providing for a delayed effective date; defining certain terms”.

AMENDMENT NO. 2

On page 1, after line 23, insert:

“(3) “CODE” MEANS:

(I) THE APPLICABLE CURRENT PROCEDURAL TERMINOLOGY (CPT) CODE, AS ADOPTED BY THE AMERICAN MEDICAL ASSOCIATION;

(II) IF FOR A DENTAL SERVICE, THE APPLICABLE CODE ADOPTED BY THE AMERICAN DENTAL ASSOCIATION; OR

(III) ANOTHER APPLICABLE CODE UNDER AN APPROPRIATE UNIFORM CODING SCHEME USED BY A CARRIER IN ACCORDANCE WITH THIS SECTION.

(4) “CODING GUIDELINES” MEANS THOSE STANDARDS OR PROCEDURES USED OR APPLIED BY A PAYOR TO DETERMINE THE MOST ACCURATE AND APPROPRIATE CODE OR CODES FOR PAYMENT BY THE PAYOR FOR A SERVICE OR SERVICES.”.

AMENDMENT NO. 3

(Over)

On page 2, in line 1, strike “(3)” and substitute “(5)”.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 4 through 12, inclusive; in line 34, after “(d)” insert “(1)”; in the same line, after “if” insert “: (I)”; and in line 36, after “coded” insert “: AND

(II) IN THE CASE OF IMPROPER CODING, THE CARRIER HAS PROVIDED TO THE HEALTH CARE PROVIDER SUFFICIENT INFORMATION REGARDING THE CODING GUIDELINES USED BY THE CARRIER AT LEAST 30 DAYS PRIOR TO THE DATE THE SERVICES SUBJECT TO THE RETROACTIVE DENIAL WERE RENDERED.

(2) INFORMATION SUBMITTED TO A CARRIER MAY BE CONSIDERED TO BE IMPROPERLY CODED UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE INFORMATION SUBMITTED TO THE CARRIER BY THE HEALTH CARE PROVIDER:

(I) USES CODES THAT DO NOT CONFORM WITH THE CODING GUIDELINES USED BY THE CARRIER APPLICABLE AS OF THE DATE THE SERVICE OR SERVICES WERE RENDERED; OR

(II) DOES NOT OTHERWISE CONFORM WITH THE CONTRACTUAL OBLIGATIONS OF THE HEALTH CARE PROVIDER TO THE CARRIER APPLICABLE AS OF THE DATE THE SERVICE OR SERVICES WERE RENDERED”.

AMENDMENT NO. 5

On page 3, after line 3, insert

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to a retroactive denial based on improper coding issued on or after January 1, 2000, regardless of the date of the service subject to the retroactive denial.”;

in line 4, strike “2.” and substitute “3.”; and in line 5, strike “October 1, 1999” and substitute “January 1, 2000”.