
HOUSE BILL No. 1533

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-21-2-16; IC 27-8-11-7; IC 27-13-36.2-7.

Synopsis: Payment for in-network care. Requires a hospital or ambulatory outpatient surgical center that is part of a provider network for an insurer or a health maintenance organization to ensure that care is available to individuals covered by the insurer or health maintenance organization according to the terms of the individual's coverage for in-network services.

Effective: July 1, 2003.

Goodin

January 16, 2003, read first time and referred to Committee on Insurance, Corporations and Small Business.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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HOUSE BILL No. 1533



A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-21-2-16 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 16. (a) This section applies to a hospital or an
4 ambulatory outpatient surgical center that enters into:**
5 (1) an agreement with an insurer under IC 27-8-11; or
6 (2) a contract with a health maintenance organization under
7 IC 27-13 to serve as a participating provider.
8 (b) As used in this section, "in-network provider" means a
9 provider (as defined in IC 27-8-11-1) who is an individual and who
10 has entered into:
11 (1) an agreement with an insurer under IC 27-8-11; or
12 (2) a contract with a health maintenance organization under
13 IC 27-13 to serve as a participating provider.
14 (c) A hospital or an ambulatory outpatient surgical center shall:
15 (1) ensure that care received by an individual who is:
16 (A) treated at the hospital or ambulatory outpatient
17 surgical center; and



1 **(B) insured by the insurer or has coverage under a**
 2 **contract with the health maintenance organization**
 3 **described in subsection (a);**
 4 **is available at all times through an in-network provider; or**
 5 **(2) require, as a condition of providing care at the hospital or**
 6 **ambulatory outpatient surgical center, that a provider who is**
 7 **not an in-network provider and provides care to an individual**
 8 **described in subdivision (1):**
 9 **(A) accept as payment in full the amount that would be**
 10 **paid by the insurer or health maintenance organization for**
 11 **the care provided if the provider were an in-network**
 12 **provider; and**
 13 **(B) not bill or collect from the individual an amount**
 14 **exceeding the amount described in clause (A).**

15 SECTION 2. IC 27-8-11-7 IS ADDED TO THE INDIANA CODE
 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 17 1, 2003]: **Sec. 7. (a) An insurer shall make payment for care**
 18 **provided by a provider described in IC 16-21-2-16(c)(2) in the**
 19 **amount that would have been agreed to if the provider entered into**
 20 **an agreement with the insurer under section 3(a)(1) of this chapter.**
 21 **(b) Subsection (a) does not require the insurer to make payment**
 22 **directly to the provider.**

23 SECTION 3. IC 27-13-36.2-7 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2003]: **Sec. 7. (a) A health maintenance**
 26 **organization shall make payment for care provided by a provider**
 27 **described in IC 16-21-2-16(c)(2) in the amount that would have**
 28 **been agreed to if the provider entered into a contract with the**
 29 **health maintenance organization to serve as a participating**
 30 **provider.**
 31 **(b) Subsection (a) does not require the health maintenance**
 32 **organization to make payment directly to the provider.**

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