

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1300 be amended to read as follows:

- 1 Page 2, between lines 8 and 9, begin a new paragraph and insert:
2 "SECTION 2. IC 27-8-11-11 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2009]: **Sec. 11. (a) As used in this section, "noncontracted
5 provider" means a provider that has not entered into an agreement
6 with an insurer under IC 27-8-11-3.**
7 **(b) If an insurer makes a payment to a covered individual for a
8 health care service rendered by a noncontracted provider, the
9 insurer shall include with the payment instrument written notice
10 to the covered individual that includes the following:**
11 **(1) A statement of the claims covered by the payment
12 instrument.**
13 **(2) The name and address of the provider submitting each
14 claim.**
15 **(3) The amount paid by the insurer for each claim.**
16 **(4) Any amount of a claim that is the covered individual's
17 responsibility.**
18 **(5) A statement in at least 24 point bold type that:**
19 **(A) instructs the covered individual that the payment must
20 be used to pay the noncontracted provider if the covered
21 individual has not paid the noncontracted provider in full;**
22 **(B) specifies that paying the noncontracted provider is the
23 covered individual's responsibility; and**
24 **(C) states that the failure to make the payment violates the
25 law and may result in collection proceedings.**
26 SECTION 3. IC 27-13-36-12 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2009]: **Sec. 12. (a) As used in this section,
29 "nonparticipating provider" means a provider that has not entered
30 into an agreement with a health maintenance organization to serve
31 as a participating provider.**

- 1 **(b) If a health maintenance organization makes a payment to an**
2 **enrollee for a health care service rendered by a nonparticipating**
3 **provider, the health maintenance organization shall include with**
4 **the payment instrument written notice to the enrollee that includes**
5 **the following:**
6 **(1) A statement of the claims covered by the payment**
7 **instrument.**
8 **(2) The name and address of the provider submitting each**
9 **claim.**
10 **(3) The amount paid by the health maintenance organization**
11 **for each claim.**
12 **(4) Any amount of a claim that is the enrollee's responsibility.**
13 **(5) A statement in at least 24 point bold type that:**
14 **(A) instructs the enrollee that the payment must be used to**
15 **pay the nonparticipating provider if the enrollee has not**
16 **paid the nonparticipating provider in full;**
17 **(B) specifies that paying the nonparticipating provider is**
18 **the enrollee's responsibility; and**
19 **(C) states that the failure to make the payment violates the**
20 **law and may result in collection proceedings."**

21 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1300 as printed March 27, 2009.)

Senator MILLER