

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