

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/HCS/House Bill No. 1682, Page 67, Section 376.945, Line 19,

2 of said page, by inserting immediately after said line the  
3 following:

4 "376.1345. 1. As used in this section, unless the context  
5 clearly indicates otherwise, terms shall have the same meaning as  
6 ascribed to them in section 376.1350.

7 2. No health carrier, nor any entity acting on behalf of a  
8 health carrier, shall restrict methods of reimbursement to health  
9 care providers for health care services to a reimbursement method  
10 requiring the provider to pay a fee, discount the amount of their  
11 claim for reimbursement, or remit any other form of remuneration  
12 in order to redeem the amount of their claim for reimbursement.

13 3. If a health carrier initiates or changes the method used  
14 to reimburse a health care provider to a method of reimbursement  
15 that will require the health care provider to pay a fee, discount  
16 the amount of its claim for reimbursement, or remit any other  
17 form of remuneration to the health carrier or any entity acting  
18 on behalf of the health carrier in order to redeem the amount of  
19 its claim for reimbursement, the health carrier or an entity  
20 acting on its behalf shall:

21 (1) Notify such health care provider of the fee, discount,  
22 or other remuneration required to receive reimbursement through  
23 the new or different reimbursement method; and

1           (2) In such notice, provide clear instructions to the  
2 health care provider as to how to select an alternative payment  
3 method, and upon request such alternative payment method shall be  
4 used to reimburse the provider until the provider requests  
5 otherwise.

6           4. A health carrier shall allow the provider to select to  
7 be reimbursed by an electronic funds transfer through the  
8 Automated Clearing House Network as required pursuant to 45  
9 C.F.R. Sections 162.925, 162.1601, and 162.1602, and if the  
10 provider makes such selection, the health carrier shall use such  
11 reimbursement method to reimburse the provider until the provider  
12 requests otherwise.

13           5. An amount a health carrier claims was overpaid to a  
14 provider may only be collected, withheld, or recouped from the  
15 provider, or third party that submitted the provider's claim  
16 under the third party's provider identification number, to whom  
17 the overpaid amount was originally paid. The notice of  
18 withholding or recoupment by a health carrier shall also inform  
19 the provider or third party of the health care service, date of  
20 service, and patient for which the recoupment is being made.

21           6. Violation of this section shall be deemed an unfair  
22 trade practice under sections 375.930 to 375.948."; and

23           Further amend the title and enacting clause accordingly.