SENATE DOCKET, NO. 882 FILED ON: 1/20/2011

SENATE . . . . . No. 418

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth J. Donnelly

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to insurer responsibility for collecting co-insurance and deductibles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kenneth J. Donnelly	
	☐ *[District]*
	☐

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SENATE . . . . . No. 418

By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 418) of Kenneth J. Donnelly for legislation relative to insurer responsibility for collecting co-insurance and deductibles. Financial Services.

The Commonwealth of Massachusetts

An Act relative to insurer responsibility for collecting co-insurance and deductibles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 24B of chapter 175 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the first paragraph the following paragraph:-

The commissioner shall also require health care insurers, including any self-insured sickness, health, or welfare plan licensed under this chapter, to recover all co-insurance and deductible amounts due from patients for covered services as required under the insurer's health benefit plan. For purposes of this section, "co-insurance" is defined as a percentage of the allowed charge, after a co-payment, if any, that a patient will pay for covered services received under a health benefit plan. A "deductible" is defined as an annual dollar amount that must be paid by a covered person for specified health care services that a patient uses before the insurer's health benefit plan becomes obligated to pay for covered services; such deductible does not include any portion of premiums paid by a patient. Insurers shall include the co-insurance and deductible amounts due from patients for covered health care services in their payments to providers; provided however, that such payment shall not be dependent on the insurer recovering the co-insurance and deductible prior to processing and paying a claim made by a healthcare provider. Nothing in this section shall prohibit providers and insurers from mutually agreeing to alternative billing and payment processes when it has been determined that the patient has secondary insurance coverage for the services provided. This paragraph shall not pertain to the collection of co-payments, which is a fixed dollar amount structured by the insurer that is paid by a patient to a healthcare provider, as defined under section 1 of chapter 111, at the time the patient receives covered services.