

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1218

S.P. 406

March 7, 2007

An Act To Further Limit Retrospective Denials of Previously Paid Health Insurance Claims

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MARRACHÉ of Kennebec.
Cosponsored by Senator TURNER of Cumberland and Senator: McCORMICK of Kennebec,
Representatives: CANAVAN of Waterville, CONOVER of Oakland, CROCKETT of Augusta,
McKANE of Newcastle, PERRY of Calais, TREAT of Farmingdale.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §4303, sub-§10, ¶B,** as enacted by PL 2003, c. 218, §9, is
3 amended to read:

4 B. The time that has elapsed since the date of payment of the previously paid claim
5 does not exceed ~~18~~ 12 months. The retrospective denial of a previously paid claim
6 may be permitted beyond ~~18~~ 12 months from the date of payment only for the
7 following reasons:

- 8 (1) The claim was submitted fraudulently;
- 9 (2) The claim payment was incorrect because the provider or the insured was
10 already paid for the health care services identified in the claim;
- 11 (3) The health care services identified in the claim were not delivered by the
12 provider;
- 13 (4) The claim payment was for services covered by Title XVIII, Title XIX or
14 Title XXI of the Social Security Act;
- 15 (5) The claim payment is the subject of adjustment with another insurer,
16 administrator or payor; or
- 17 (6) The claim payment is the subject of legal action.

18 **SUMMARY**

19 The bill shortens the time frame from 18 months to 12 months in which a health
20 insurance carrier may deny retrospectively a health insurance claim submitted by a health
21 care provider and processed and paid in accordance with the standards in effect at the
22 time of submission.