

By: Representative Moak

To: Insurance

HOUSE BILL NO. 1428

1 AN ACT TO AMEND SECTION 83-41-409, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE MANAGED HEALTH CARE PLANS TO MAINTAIN AND ADMINISTER A
3 GRIEVANCE PROCEDURE FOR ENROLLEES AND PARTICIPATING PROVIDERS AND
4 TO REPORT TO THE MISSISSIPPI DEPARTMENT OF INSURANCE THE NUMBER OF
5 COMPLAINTS RECEIVED; TO REQUIRE MANAGED HEALTH CARE PLANS TO
6 PROVIDE FOR A DUE PROCESS HEARING AND REVIEW PROCESS FOR A
7 PROVIDER WHO IS INVOLUNTARILY DELETED FROM A PROVIDER NETWORK OR
8 DENIED PARTICIPATION IN THE NETWORK; TO PROHIBIT MANAGED HEALTH
9 CARE PLANS FROM OFFERING PROVIDERS A FINANCIAL INCENTIVE BASED
10 SOLELY ON THE NUMBER OF SERVICES OR REFERRALS DENIED BY THE
11 PROVIDER; TO REQUIRE MANAGED HEALTH CARE PLANS TO ANNUALLY REPORT
12 THE PERCENTAGE OF REVENUES EXPENDED ON HEALTH CARE SERVICES AND
13 ADMINISTRATION; TO REQUIRE ADVANCE DISCLOSURE OF PREAUTHORIZATION
14 REQUIREMENTS BY MANAGED HEALTH CARE PLANS FOR MEDICAL SERVICES OR
15 SUPPLIES; TO PROHIBIT THE EXCLUSION OF A PHYSICIAN FROM A MANAGED
16 HEALTH CARE PLAN'S PROVIDER NETWORK BASED SOLELY ON THE
17 PHYSICIAN'S ECONOMIC PROFILE; TO REQUIRE MANAGED HEALTH CARE PLANS
18 TO COVER EMERGENCY ROOM VISITS BASED UPON THE "PRUDENT LAY PERSON"
19 STANDARD; TO REQUIRE MANAGED HEALTH CARE PLANS CONTRACTING WITH
20 THE DIVISION OF MEDICAID TO SPEND A MINIMUM PERCENTAGE OF REVENUE
21 ON DIRECT PATIENT CARE, AND TO PROVIDE FOR A MANAGED HEALTH CARE
22 PLAN "POINT-OF-SERVICE" OPTION; TO CODIFY SECTION 83-41-410,
23 MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY MANAGED CARE ENTITY FROM
24 RESTRICTING OR RETALIATING AGAINST ANY PARTICIPATING MEDICAL
25 PROVIDER FOR DISCLOSING TO ANY MEMBER IN THE MANAGED CARE PLAN
26 APPROPRIATE MEDICAL INFORMATION REGARDING TREATMENT OR SERVICES
27 UNDER THE PLAN; TO REPEAL SECTION 83-41-415, MISSISSIPPI CODE OF
28 1972, WHICH PROVIDES THAT THE PROVISIONS OF THE PATIENT PROTECTION
29 ACT OF 1995 AND THE HEALTH MAINTENANCE ORGANIZATION-PREFERRED
30 PROVIDER ORGANIZATION-PREPAID HEALTH BENEFIT PLAN PROTECTION ACT
31 DO NOT APPLY TO THE MISSISSIPPI MEDICAID PROGRAM; AND FOR RELATED
32 PURPOSES.

33 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI: