

By: Senator(s) Canon

To: Public Health and Welfare

SENATE BILL NO. 2955

1 AN ACT TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT A HEALTH CARE SERVICES UTILIZATION REVIEW
3 DETERMINATION THAT IS ADVERSE TO A PATIENT OR PROVIDER MAY BE
4 EVALUATED AND CONCURRED IN BY A CHIROPRACTOR LICENSED TO PRACTICE
5 IN MISSISSIPPI; AND FOR RELATED PURPOSES. BE IT ENACTED BY THE
6 LEGISLATURE OF THE STATE OF MISSISSIPPI:

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8 SECTION 1. Section 41-83-31, Mississippi Code of 1972, is
9 amended as follows:

10 * * *

11 41-83-31. Any program of utilization review with regard to
12 hospital, medical or other health care services provided in this
13 state shall comply with the following:

14 (a) No determination adverse to a patient or to any
15 affected health care provider shall be made on any question
16 relating to the necessity or justification for any form of
17 hospital, medical or other health care services without prior
18 evaluation and concurrence in the adverse determination by a
19 physician licensed to practice in Mississippi. The physician or
20 chiropractor who made the adverse determination shall discuss the
21 reasons for any adverse determination with the affected health
22 care provider, if the provider so requests. The physician or
23 chiropractor shall comply with this request within fourteen (14)
24 calendar days of being notified of a request. Adverse
25 determination by a physician or chiropractor shall not be grounds
26 for any disciplinary action against the physician by the State
27 Board of Medical Licensure, or Board of Chiropractic Examiners.

28 (b) Any determination regarding hospital, medical or

29 other health care services rendered or to be rendered to a patient
30 which may result in a denial of third-party reimbursement or a
31 denial of precertification for that service shall include the
32 evaluation, findings and concurrence of a physician trained in the
33 relevant specialty or subspecialty, if requested by the patient's
34 physician, to make a final determination that care rendered or to
35 be rendered was, is, or may be medically inappropriate.

36 (c) The requirement in this section that the physician
37 or chiropractor who makes the evaluation and concurrence in the
38 adverse determination must be licensed to practice in Mississippi
39 shall not apply to the Comprehensive Health Insurance Risk Pool
40 Association or its policyholders and shall not apply to any
41 utilization review company which reviews fewer than ten (10)
42 persons residing in the State of Mississippi.

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44 SECTION 2. This act shall take effect and be in force from
45 and after July 1, 1999.