

By: Moody

To: Public Health and  
Welfare

HOUSE BILL NO. 1330

1 AN ACT TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972,  
2 TO DELETE REVERTER OR ROLLBACK PROVISIONS THAT WOULD REQUIRE THAT  
3 A HEALTH CARE SERVICES UTILIZATION REVIEW DETERMINATION WHICH IS  
4 ADVERSE TO A PATIENT OR PROVIDER MUST BE EVALUATED AND CONCURRED  
5 IN BY A PHYSICIAN LICENSED TO PRACTICE IN MISSISSIPPI, EXCEPT IN  
6 CASES INVOLVING THE COMPREHENSIVE HEALTH INSURANCE RISK POOL  
7 ASSOCIATION; AND FOR RELATED PURPOSES.

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

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

11 \* \* \*

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

15 (a) No determination adverse to a patient or to any  
16 affected health care provider shall be made on any question  
17 relating to the necessity or justification for any form of  
18 hospital, medical or other health care services without prior  
19 evaluation and concurrence in the adverse determination by a  
20 physician. The reasons for any adverse determination shall be  
21 discussed by said physician with the affected health care  
22 provider, if the provider so requests.

23 (b) Any determination regarding hospital, medical or  
24 other health care services rendered or to be rendered to a patient  
25 which may result in a denial of third-party reimbursement or a  
26 denial of precertification for that service shall include the  
27 evaluation, findings and concurrence of a physician trained in the  
28 relevant specialty or subspecialty, if requested by the patient's

29 physician, to make a final determination that care rendered or to  
30 be rendered was, is, or may be medically inappropriate.

31 SECTION 2. This act shall take effect and be in force from  
32 and after July 1, 2000.