

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 683

By Representative(s) Ketchings, Stevens

1 **AMEND** by striking all after line 492 through the "period" on
2 line 517 and inserting in lieu thereof the following:

3 "(a) If the commissioner finds that an insurer, during
4 any calendar year, has paid at least ninety-five percent (95%),
5 but less than one hundred percent (100%), of all clean claims
6 received from all providers during that year in accordance with
7 the provisions of subsection (1)(h) of this section, the
8 commissioner may levy an aggregate penalty in an amount not to
9 exceed One Thousand Dollars (\$1,000.00). If the commissioner
10 finds that an insurer, during any calendar year, has paid at least
11 eighty-five percent (85%), but less than ninety-five percent
12 (95%), of all clean claims received from all providers during that
13 year in accordance with the provisions of subsection (1)(h) of
14 this section, the commissioner may levy an aggregate penalty in an
15 amount not to exceed Ten Thousand Dollars (\$10,000.00). If the
16 commissioner finds that an insurer, during any calendar year, has
17 paid at least fifty percent (50%), but less than eighty-five
18 percent (85%), of all clean claims received from all providers
19 during that year in accordance with the provision of subsection
20 (1)(h) of this section, the commissioner may levy an aggregate
21 penalty in an amount of not less than Ten Thousand Dollars
22 (\$10,000.00) nor more than One Hundred Thousand Dollars
23 (\$100,000.00). If the commissioner finds that an insurer, during

24 any calendar year, has paid less than fifty percent (50%) of all
25 clean claims received from all providers during that year in
26 accordance with the provisions of subsection (1)(h) of this
27 section, the commissioner may levy an aggregate penalty in an
28 amount not less than One Hundred Thousand Dollars (\$100,000.00)
29 nor more than Two Hundred Thousand Dollars (\$200,000.00).";

30 **AMEND FURTHER**, by striking all after the "period" on line 31
31 through line 34;

32 **AMEND FURTHER**, by inserting the following after the "period"
33 on line 23:

34 "As used in this section, the term 'insurer' means a health
35 maintenance organization, an insurance company or any other entity
36 responsible for the payment of benefits under a policy or contract
37 of accident and sickness insurance."