

By: Senator(s) Clarke, Dearing

To: Insurance

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2127

1 AN ACT TO CREATE A NEW SECTION TO PROVIDE FOR RECIPROCAL
2 LIMITATIONS ON HEALTH INSURANCE CLAIM FILING AND CLAIM AUDITS; AND
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** (1) If any health insurance issuer or other
6 health insurance benefit payer limits the time in which a health
7 care provider or other person is required to submit a claim for
8 payment, the health insurance issuer or other health insurance
9 benefit payer shall have the same time limit following payment of
10 the claim to perform any review or audit for reconsidering the
11 validity of the claim and requesting reimbursement for payment of
12 an invalid claim or overpayment of a claim.

13 (2) If any health insurance issuer or other health insurance
14 benefit payer does not limit the time in which a health care
15 provider or other person is required to submit a claim for
16 payment, the health insurance issuer or other health insurance
17 benefit payer may not request reimbursement or offset another
18 claim payment for reimbursement of an invalid claim or overpayment
19 of a claim more than twelve (12) months after the payment of an
20 invalid or overpaid claim.

21 (3) Nothing in this act shall apply to claims submitted in
22 the context of misrepresentation, omission, concealment, or fraud
23 by the health care provider or other person.

24 (4) Nothing in this section shall apply to an audit of a
25 pharmacy as provided in Section 73-21-175 et seq.



26 **SECTION 2.** This act shall take effect and be in force from
27 and after July 1, 2010, and shall apply to contracts entered into
28 or renewed on or after that date.

