

By: Senator(s) Tollison

To: Insurance

SENATE BILL NO. 2926

1 AN ACT TO AMEND SECTION 83-9-47, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FOR A HEALTH CARE PROVIDER LIEN ON INSURANCE BENEFITS PAID
3 DIRECTLY TO PATIENTS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 83-9-47, Mississippi Code of 1972, is
6 amended as follows:

7 83-9-47. (1) As used in this section, the following terms
8 shall be defined as follows:

9 (a) "Third-party payor" means any insurer, nonprofit
10 hospital service plan, health care service plan, health
11 maintenance organization, self-insurer or any person or other
12 entity which provides payment for medical and related services.

13 (b) "Health care provider" means a physician,
14 optometrist, chiropractor, dentist, podiatrist, pharmacist,
15 psychologist, hospital or other healthcare facility licensed by
16 the State of Mississippi.

17 (c) "Patient" means any natural person who has received
18 medical care or services from any medical care provider within the
19 State of Mississippi.

20 (2) Any third-party payor who pays a patient or policyholder
21 on behalf of a patient directly for medical care or services
22 rendered by a health care provider shall provide information
23 concerning the amount, date and nature of any such payment to the
24 provider of services. The information may be provided by
25 telephone, facsimile or by mailing a copy of the "explanation of
26 benefits" to the provider. If the information is provided by
27 sending a copy of the "explanation of benefits" to the provider,

28 then the third-party payor may require that the reasonable cost of
29 producing and mailing the information be paid by the provider. A
30 health care provider shall have a lien on the payment to be made
31 directly to the patient or policyholder by any third-party payor
32 for the medical care or services rendered by such health care
33 provider. The requirements of this subsection shall not apply to
34 the following: a fixed-indemnity policy, a limited benefit health
35 insurance policy, medical payment coverage or personal injury
36 protection coverage in a motor vehicle policy, coverage issued as
37 a supplement to liability insurance or workers' compensation.

38 **SECTION 2.** This act shall take effect and be in force from
39 and after July 1, 2006.