

Application of SB418 to Physicians and Providers (statutes and rules relating to HMO coverage)

For any conflicts between the following reference materials and the rules, the rules prevail.

SB418	TIC	TAC	Subject	HMO	
				Network	Non-network
Sec. 7(a)	§843.337(a) - (b)	§21.2806 (a) - (b)	95-day claim filing deadline	X	X
Sec. 7(d)	§843.337(d)	§21.2806(e)	duplicate claim	X	X
Sec. 7(e)	§843.337(e)	§21.2806(c)	methods of filing	X	X
Sec. 7(f)	§843.337(f)	§21.2816	date of receipt	X	X
Sec. 8	§843.338	§21.2802(31)(A) & (B)	payment deadlines	X	*ER & referral only
Sec. 10	§843.339	§21.2802(31)(C)	pharmacy payment deadline	X	X
Sec. 11	§843.340	§21.2809	audit	X	
Sec. 9(a)	§843.3385(a)-(d)	§21.2804	additional information	X	*ER & referral only
Sec. 9(e)	§843.3385(e)	§21.2805	info from other source	X	*ER & referral only
Sec. 15	§843.343	n/a	attorney's fees & court costs	X	
Sec. 13	§843.341	n/a	copies of utilization review and claim policies and procedures	X	
Sec. 6(b)	§843.336(b)	§21.2803(b)(1)	elements of clean claim-physician/ noninstitutional provider - nonelectronic (paper) claim	X	X
Sec. 6(c)	§843.336(c)	§21.2803(b)(3)	elements of clean claim - institutional provider - paper claim	X	X
Sec. 6	§843.336(b)	§21.2803(a)(2) & (e) & (f)	elements of clean claim - electronic claim	X	X
Sec. 6(f)	§843.336(f)	n/a	contract for fewer elements for an electronic transaction	X	
Sec. 6(g)	§843.336(g)	§21.2803(h)	additional data elements or claim information	X	X
Sec. 19	§843.350(a)	§21.2818(a) - (b)	recovery of overpayment	X	X
Sec. 19	§843.350(b)_	§21.2818(c)	appeal of recovery of overpayment	X	X
Sec. 19	§843.347	§19.1724	verification	X	*ER & referral only
Sec. 19	§843.349	§21.2803(a)(3) & (d)	coordination of payment and benefits(COB)	X	X

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				Network	Non-network
Sec. 19	§843.348	§19.1723	preauthorization	X	
Sec. 5	§843.321(a) - (b)	§11.901(a)(11)	availability of coding guidelines and fee schedules	X	
Sec. 5(c)	§843.321(c)	§11.901(a)(11)(A) (vii)	bundling/unbundling software name	X	
Sec. 14	§843.342(a) - (c)	§21.2815	penalties for late payment	X	
Sec. 14	§843.342(d) - (g)	§21.2815(d)	penalties for underpayment	X	
Sec. 14(h)	§843.342(h)	§21.2815(f)	exception to penalties	X	

*identified sections apply to non-contracted or non-preferred providers only if they are performing emergency services or services pursuant to an authorized referral due to network inadequacy