

February 1, 2001

H 30. HMO PATIENT PROTECTION (=S 21). TO PROVIDE THAT A MANAGED CARE ENTITY PROVIDING A HEALTH BENEFIT PLAN IS LIABLE FOR DAMAGES FOR HARM TO ITS INSUREDS OR ENROLLED CAUSED BY THE MANAGED CARE ENTITY'S FAILURE TO EXERCISE ORDINARY CARE AND TO PROVIDE STANDARDS FOR THE ESTABLISHMENT AND MAINTENANCE OF EXTERNAL REVIEW PROCEDURES IN HEALTH INSURANCE AND MANAGED CARE TO ASSURE THAT COVERED PERSONS HAVE THE OPPORTUNITY FOR AN INDEPENDENT REVIEW OF APPEALS OF NONCERTIFICATION DECISIONS AND SECOND LEVEL GRIEVANCE REVIEW DECISIONS MADE BY THE INSURER OR MANAGED CARE PLAN AND TO MAKE CONFORMING AMENDMENTS TO EXISTING LAW ON UTILIZATION REVIEW AND GRIEVANCES. Identical to S 21, introduced 1/30/01.

Intro. by Nye.

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| Ref. to Rules | GS 1A, 58, 90 |
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