**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3509**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Long, D.C. Moss, Limehouse, Thayer, Toole, Neilson, Allison, Umphlett, Spires, Bowen, Parker, Gambrell, Murphy, Agnew, Bales, Bingham, Brady, Branham, Corbin, Crawford, Dillard, Erickson, Lowe, Merrill, J.M. Neal, Norman, G.R. Smith, J.E. Smith and Willis

Document Path: l:\council\bills\agm\18337ab11.docx

Companion/Similar bill(s): 320, 472

Introduced in the House on January 27, 2011

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Health insurers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/27/2011 House Introduced and read first time ([House Journal‑page 44](file:///h:\hj%20archive\2011\01-27-11.docx))

1/27/2011 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 44](file:///h:\hj%20archive\2011\01-27-11.docx))

2/2/2011 House Member(s) request name removed as sponsor: Hiott, Pinson

2/3/2011 House Member(s) request name removed as sponsor: Hixon

2/8/2011 House Member(s) request name removed as sponsor: Sandifer

**VERSIONS OF THIS BILL**

[1/27/2011](file:///p:\pprever\2011-12\3509_20110127.docx)

**A** **BILL**

TO AMEND SECTION 38‑71‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COVERAGE THAT MAY BE WRITTEN BY A LICENSED ACCIDENT AND HEALTH INSURER, SO AS TO PROHIBIT THE INSURER FROM DIRECTLY PAYING MONEY TO AN INSURED FOR A HEALTH CARE SERVICE PROVIDED TO THE INSURED, AND TO PROVIDE EXCEPTIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38‑71‑10 of the 1976 Code is amended to read:

“Section 38-71-10. (A) ~~All~~ A licensed accident and health ~~insurers are entitled to~~ insurer must:

~~(a)~~(1) issue and deliver a service benefit ~~contracts~~ contract to provide for prepayment of ~~any~~ a health care service and to make payment directly to the provider of the ~~services~~ service, in whole or in part, including, but not limited to, a professional ~~services~~ service, ~~any~~ institutional care, a personal ~~services~~ service, and supplies.

~~(b)~~(2) issue and deliver ~~contracts~~ a contract of indemnity or ~~contracts~~ contract providing for payment of money ~~directly to the insureds or for them~~ on behalf of an insured for a health care ~~services~~ service provided to an insured.

(B) Notwithstanding another provision of law, a licensed accident and health insurer may not make a payment of money directly to an insured for a health care service received by the insured.

(C) The provisions of this section do not apply to:

(1) supplemental or secondary insurance coverage; or

(2) a person who documents to the insurer that he has fully paid the health care provider for the service rendered.”

SECTION 2. This act takes effect upon approval by the Governor.

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