

## Session 117 - (2007-2008)

**H\*3674 (Rat #0374, Act #0356 of 2008) General Bill, By Cato, Perry, J.H. Neal, Chellis, Harvin, F.N. Smith, Bedingfield, Simrill, Crawford, Leach, W.D. Smith, Alexander, Bales, Bannister, Dantzler, Edge, Gambrell, Hamilton, Haskins, Kennedy, Lowe, Mitchell, Mulvaney, Ott, Pinson, Sandifer, Scarborough, Shoopman, G.R. Smith, Spires, Stewart, Thompson, Toole, White, Young, Brady, Talley, Clemmons, Owens, Hiott, Skelton and Rice**

**Summary:** Health Care Financial Recovery and Protection Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2, CHAPTER 59 TO TITLE 38 SO AS TO ENACT THE "SOUTH CAROLINA HEALTH CARE FINANCIAL RECOVERY AND PROTECTION ACT"; TO REQUIRE AN INSURER, UPON REQUEST, TO PROVIDE THE FEE SCHEDULE THAT IS CONTRACTED WITH THE REQUESTING PHYSICIAN AND TO PROVIDE THAT THE FEE SCHEDULE MUST BE KEPT CONFIDENTIAL; TO PROVIDE THAT CLEAN CLAIMS SUBMITTED BY PAPER MUST BE PAID WITHIN FORTY BUSINESS DAYS OF RECEIPT OR OF THE DATE ALL NECESSARY INFORMATION HAS BEEN RECEIVED AND TWENTY BUSINESS DAYS FOR CLAIMS SUBMITTED ELECTRONICALLY; TO REQUIRE INSURERS TO MAINTAIN A SYSTEM FOR TRACKING RECEIPT AND DISPOSITION OF CLAIMS, TO PROVIDE ACKNOWLEDGEMENT OF CLAIMS RECEIVED AND NOTICE OF DEFECT OR ERRORS IN CLAIMS, AND TO ESTABLISH TIMEFRAMES FOR PROVIDING SUCH INFORMATION; TO PROVIDE THAT CLAIMS THAT ARE NOT TIMELY PAID IN ACCORDANCE WITH THIS ARTICLE ACCRUE INTEREST AT THE LEGAL RATE OF INTEREST, AS PROVIDED FOR IN LAW; TO SPECIFY CIRCUMSTANCES UNDER WHICH INTEREST PAYMENTS ARE NOT REQUIRED; TO ESTABLISH PROCEDURES AND TIMEFRAMES FOR CONDUCTING OVERPAYMENT RECOVERY EFFORTS; TO PROVIDE THAT THIS ARTICLE DOES NOT APPLY TO CLAIMS PROCESSED UNDER ANY NATIONAL ACCOUNT DELIVERY PROGRAM; AND TO PROVIDE THAT THE DEPARTMENT OF INSURANCE SHALL ENFORCE THE PROVISIONS OF THIS ARTICLE AND TO FURTHER SPECIFY SANCTIONS THE DEPARTMENT MAY IMPOSE FOR VIOLATIONS; AND TO AMEND SECTION 38-71-230, RELATING TO WRITTEN NOTICE OF HEALTH INSURANCE CLAIMS POLICIES AND PROCEDURES AND THE ADOPTION OF STANDARDIZED CLAIM FORMS, SO AS TO MAKE TECHNICAL CORRECTIONS. - ratified title

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| <b>03/08/07</b> | <b>House</b>  | <b>Introduced and read first time HJ-10</b>   |
| <b>03/08/07</b> | <b>House</b>  | <b>Referred to Committee on Labor, Commerce and Industry HJ-11</b>                            |
| <b>02/27/08</b> | <b>House</b>  | <b>Member(s) request name added as sponsor: Brady</b>   |
| <b>02/27/08</b> | <b>House</b>  | <b>Committee report: Favorable with amendment Labor, Commerce and Industry HJ-3</b>           |
| <b>02/28/08</b> | <b>House</b>  | <b>Member(s) request name added as sponsor: Talley, Clemmons, Owens, Hiott, Skelton, Rice</b> |
| <b>02/28/08</b> | <b>House</b>  | <b>Amended HJ-14</b>  |
| <b>02/28/08</b> | <b>House</b>  | <b>Read second time HJ-21</b>   |
| <b>02/28/08</b> | <b>House</b>  | <b>Unanimous consent for third reading on next legislative day HJ-21</b>                      |
| <b>02/29/08</b> | <b>House</b>  | <b>Read third time and sent to Senate HJ-1</b>  |
| <b>02/29/08</b> |               | <b>Scrivener's error corrected</b>  |
| <b>03/04/08</b> | <b>Senate</b> | <b>Introduced and read first time SJ-7</b>  |
| <b>03/04/08</b> | <b>Senate</b> | <b>Referred to Committee on Banking and Insurance SJ-7</b>                                    |
| <b>03/12/08</b> | <b>Senate</b> | <b>Committee report: Favorable Banking and Insurance SJ-18</b>                                |
| <b>03/13/08</b> |               | <b>Scrivener's error corrected</b>  |
| <b>05/14/08</b> | <b>Senate</b> | <b>Amended SJ-18</b>  |
| <b>05/14/08</b> | <b>Senate</b> | <b>Read second time SJ-18</b>   |
| <b>05/15/08</b> |               | <b>Scrivener's error corrected</b>  |
| <b>05/15/08</b> | <b>Senate</b> | <b>Read third time and returned to House with amendments SJ-10</b>                            |
| <b>05/28/08</b> | <b>House</b>  | <b>Senate amendment amended HJ-188</b>  |
| <b>05/28/08</b> | <b>House</b>  | <b>Returned to Senate with amendments HJ-196</b>  |
| <b>06/04/08</b> | <b>Senate</b> | <b>Concurred in House amendment and enrolled SJ-308</b>                                       |
| <b>06/05/08</b> |               | <b>Ratified R 374</b>   |
| <b>06/11/08</b> |               | <b>Signed By Governor</b>   |
| <b>07/10/08</b> |               | <b>Copies available</b>   |
| <b>07/10/08</b> |               | <b>Effective date 06/11/09</b>  |
| <b>07/14/08</b> |               | <b>Act No. 356</b>  |