

HOUSE BILL NO. 1739

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Commerce and Energy

on _____)

(Patron Prior to Substitute--Delegate Head)

A BILL to direct the State Corporation Commission's Bureau of Insurance to convene a work group to evaluate and develop recommendations related to the implementation of health carrier fair business standards.

Be it enacted by the General Assembly of Virginia:

1. § 1. The State Corporation Commission's (the Commission's) Bureau of Insurance (the Bureau) shall convene a work group to develop recommendations for regulatory and legislative changes necessary to improve the process for determining, pursuant to the Commission's jurisdiction under subsection D of § 38.2-3407.15 of the Code of Virginia, if a carrier has failed to implement the minimum fair business standards set out in subdivisions B 1 and 2 of § 38.2-3407.15 of the Code of Virginia in the performance of its provider contracts for the prompt payment of claims. The work group shall (i) evaluate the effectiveness of the current process that the Bureau utilizes when complaints are filed related to prompt payment of claims and (ii) develop recommendations regarding improvements to the process, such as establishing a timeframe and requirements for (a) submission of complaints and acknowledgment of receipt, (b) requests for additional documentation or information needed to make a determination, and (c) completion of a determination about a complaint, including the rationale and explanation of any recommendations for the carrier or complainant to promote accuracy of claims submission and prompt payment of claims. The work group shall also develop recommendations to promote compliance with the Ethics and Fairness in Carrier Business Practices Act (§ 38.2-3407.15 of the Code of Virginia) to ensure prompt payment of claims and other recommendations to improve timeliness of the claims process. In addition to convening the work group, the Bureau shall ensure that the form for submission of complaints is easily accessible to providers and members of the public. The work group shall include representatives

27 of the Virginia Hospital and Healthcare Association, the Virginia Association of Health Plans, the Medical
28 Society of Virginia, and other relevant parties as identified by the Bureau. The Bureau shall submit a
29 report of the findings and recommendations of the work group to the Chairs of the House Committees on
30 Commerce and Energy and Health, Welfare and Institutions and the Senate Committees on Commerce
31 and Labor and Education and Health no later than December 1, 2023.

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