

10670

I N A S S E M B L Y

June 13, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lavine) --
read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to recoveries of overpay-
ments to health care providers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraphs 4 and 5 of subsection (b) of section 3224-b of
2 the insurance law are renumbered paragraphs 5 and 6 and a new paragraph
3 4 is added to read as follows:

4 (4) A HEALTH PLAN SHALL NOT DETERMINE AN OVERPAYMENT RECOVERY AMOUNT
5 THROUGH THE USE OF EXTRAPOLATION, EXCEPT WHERE THERE IS EVIDENCE OF
6 FRAUD OR INTENTIONAL MISCONDUCT.

7 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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