S T A T E O F N E W Y O R K

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 overpayments to health care providers

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

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

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

S 2. This act shall take effect immediately.

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

LBD16132-01-2