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

7960

I N S E N A T E

May 31, 2016

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT directing the superintendent of financial services to conduct an analysis of standards and enforcement provisions for prompt and equitable settlement of claims for payment of home care services

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

Section 1. The superintendent of the department of financial services, in conjunction with the commissioner of health, shall conduct an analysis of the standards for prompt, fair and equitable settlement of claims and payments for home care services as required under section 3224-a of the insurance law. Such analysis shall include: (i) an examination of current practices and compliance with the provisions of such law; (ii) an examination as to whether modifications to such law are necessary for addressing circumstances specific to home care, and the increasing shift of health care services from institutional settings to home care, in order to ensure that home care agencies submitting claims and authorization requests for services to insurance and medical assistance beneficiaries receive prompt, equitable and fair settlement of claims and payment; and (iii) recommendations for statutory, regulatory, procedural or enforcement improvement. In conducting such analysis, such superintendent and such commissioner shall consider the input of representatives of home care agencies, licensed health insurers, health maintenance organizations, managed care plans under section 364-j of the social services law, managed long term care plans under section 4403-f of the public health law, consumers, and statewide associations representative of such home care agencies, insurer, organizations, plans and consumers. Such superintendent and commissioner shall report to the chairs of the senate and assembly insurance committees and the senate and assembly health committees no later than one year after the effective date of this act, and shall include the input received from the required consultation entities.

S 2. This act shall take effect immediately.

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

LBD15573-02-6