

# STATE OF NEW YORK

8885

## IN ASSEMBLY

January 19, 2022

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the  
Committee on Insurance

AN ACT to amend the insurance law, in relation to overpayment of insurance claims

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph 1 of subsection (b) of section 3224-b of the  
2 insurance law, as amended by chapter 237 of the laws of 2009, is amended  
3 to read as follows:

4 (1) Other than recovery for duplicate payments, a health plan shall  
5 provide thirty days written notice to health care providers before  
6 engaging in additional overpayment recovery efforts seeking recovery of  
7 the overpayment of claims to such health care providers. Such notice  
8 shall state the patient name, service date, payment amount, proposed  
9 adjustment, and a reasonably specific explanation of the proposed  
10 adjustment. A health plan shall not engage in any overpayment recovery  
11 efforts that include contacting the patient to seek reimbursement for  
12 such overpayment of claims.

13 § 2. This act shall take effect on the ninetieth day after it shall  
14 have become a law and shall apply to policies and contracts issued,  
15 renewed, modified, altered or amended on or after such effective date.

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

LBD14042-01-1