

Bill as Introduced

HB 1392-FN - AS INTRODUCED

2010 SESSION

10-2534
06/01

HOUSE BILL ***1392-FN***

AN ACT requiring insurance companies to report to the insurance department the number of claims denied.

SPONSORS: Rep. F. Holden, Hills 4; Rep. Rappaport, Coos 1

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill requires insurance companies to report to the commissioner of the insurance department the numbers of claims denied.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT requiring insurance companies to report to the insurance department the number of claims denied.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Report to be Filed with Commissioner of the Insurance Department. Amend
2 RSA 415-A by inserting after section 4-b the following new section:

3 415-A:4-c Report to be Filed with Commissioner. Every insurance company that provides
4 accident and health insurance shall file with the insurance commissioner an annual report, in such
5 form and containing such information as the commissioner shall prescribe by rule or otherwise,
6 regarding:

7 I. The number of claims it denies.

8 II. The number of claims it pays after an initial claim denial.

9 2 Effective Date. This act shall take effect 60 days after its passage.

LBAO
10-2534
11/16/09

HB 1392-FN - FISCAL NOTE

AN ACT requiring insurance companies to report to the insurance department the number of claims denied.

FISCAL IMPACT:

The Insurance Department states this bill may increase state general fund revenue, county expenditures, and local expenditures by an indeterminable amount in FY 2010 and each year thereafter. There is no fiscal impact on state expenditures or county and local revenue.

METHODOLOGY:

The Insurance Department states this bill requires insurance companies to file reports regarding claim denials with the Department. The Department assumes this will create additional administrative expenses for the companies. To the extent these additional expenses result in premium increases, premium tax revenue will increase. County and local expenditures would increase to the extent they purchase insurance and the insurance companies have increased rates as a result of costs associated with the reporting requirement. The State health plan nor its third party administrator facilitating the plan would be subject to this legislation because the State is self-insured.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 1392-FN

BILL TITLE: requiring insurance companies to report to the insurance department the number of claims denied.

DATE: 2-8-10

LOB ROOM: 302 **Time Public Hearing Called to Order:** 1207

Time Adjourned: 1222

(please circle if present)

Committee Members: Reps. Butler, DeStefano, Kopka, McEachern, Hammend, Nord, Winters, Meader, Gidge, Schlachman, Keans, D. Eaton, Hunt, Quandt, Belanger, D. Flanders, R. Holden, Dowling, Headd, Nevins and Palfrey.

Bill Sponsors: F. Holden and Rappaport

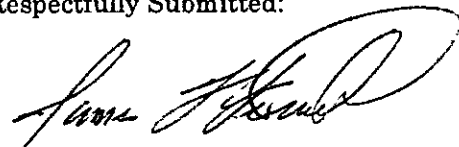
TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Frank Holden, prime sponsor – Introduced bill. This is a consumer protection bill. Thought it might be a nice idea to have the insurance; insurance department would know how many claims denied.

Paula Rogers, Anthem BC/BS – I know theme is a data page but I'm not sure if the information sought by the sponsor would be readily available. I think the insurance department would be able to answer some of the questions. Market conduct exams are already taken care of by the department. We are concerned with the administrative burden.

Respectfully Submitted:


James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

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Bill Sponsors: F. Holden and Rappaport

TESTIMONY

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Rep Frank Holden - opened bill - Prime sponsor -
This is a consumer protection bill
Thought it might be a nice idea to have the
Ins Dept would know how many claims were denied

#2 Paula Rogers - Anthem BCBS - I know there
is a data base but I'm not sure if the
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readily available.
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able to answer some of the questions.
Market conduct exams are already taken
care of by the Department -

P/ 2

HB 1392

We are concerned with the
administrative Burden

Testimony

Leslie Ludtke
Health Policy Analyst
New Hampshire Insurance Department
21 South Fruit St., Suite 14
Concord, New Hampshire 03301-2430
Email: Leslie.Ludtke@ins.nh.gov
T: 603-271-7973 ext. 246
F: 603-271-0248

Winters
Head

Ed,

My apologies for being unable to stay for the hearing on HB 1392. The department supports the bill and feels that the details could be addressed in the rule making required by the bill. A report of denied claims would be used by the department for the purpose of determining whether a company should be subjected to a market conduct exam. The department believes that there are a number of issues that would need to be addressed, such as what a denied claim is---for example, would a claim denied on the basis of no coverage constitute a denied claim...etc. We would also need a percentage rather than an absolute number in the report. In concept, however, the department does support the legislation because it believes that the information would be useful. Please give me a call if you need any additional information.

Leslie

Voting Sheets

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1392-FN

BILL TITLE: requiring insurance companies to report to the insurance department the number of claims denied.

DATE: 2-11-10

LOB ROOM: 302

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. McLEachern

Seconded by Rep. Kopk

Vote: 7-9 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hunt

Seconded by Rep. Winters

Vote: 10-6 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1392-FN

BILL TITLE: requiring insurance companies to report to the insurance department the number of claims denied.

DATE: 2-11-10

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Motions: OTP, ~~OTP/A~~, ~~ITL~~, Interim Study (Please circle one.)

Moved by Rep. ~~Hamm~~ McEachern
Seconded by Rep. K. P. R.
Vote: 7-9 (Please attach record of roll call vote.)

Motions: ~~OTP~~, ~~OTP/A~~, ITL, Interim Study (Please circle one.)

Moved by Rep. Hunt
Seconded by Rep. Winter
Vote: 10-6 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Rep. James F. Headd, Clerk

Reg cal

COMMERCE AND CONSUMER AFFAIRS

Bill #: HB1392-FN Title: Denied claims

PH Date: 1/1/10 Exec Session Date: 2/11/10

Motion: OTP Amendment #: _____

MEMBER	YEAS	NAYS
Butler, Edward A, Chairman	/	
Schlachman, Donna L, V Chairman		
DeStefano, Stephen T		
Kopka, Angeline A		/
Meader, David R		/
McEachern, Paul	✓	
Hammond, Jill Shaffer	/	
Nord, Susi	✓	
Winters, Joel F		/
Keans, Sandra B	✓	
Gidge, Kenneth N	✓	
Hunt, John B		/
Quandt, Matt J		/
Belanger, Ronald J		
Flanders, Donald H		/
Holden, Rip		
Dowling, Patricia A	/	
Headd, James F, Clerk		✓
Nevins, Chris F		✓
Palfrey, David J		/
<i>For Led</i>	7	9

COMMERCE AND CONSUMER AFFAIRS

Bill #: H 1392 Title: General Law

PH Date: 1/1/10 Exec Session Date: 2/11/10

Motion: ITL - Amendment #: _____

MEMBER	YEAS	NAYS
Butler, Edward A, Chairman	✓	
Schlachman, Donna L, V Chairman		
DeStefano, Stephen T		
Kopka, Angeline A	✓	
Meader, David R	✓	
McEachern, Paul		✓
Hammond, Jill Shaffer		✓
Nord, Susi		✓
Winters, Joel F	✓	
Keans, Sandra B		✓
Gidge, Kenneth N		✓
Hunt, John B	✓	
Quandt, Matt J	✓	
Belanger, Ronald J		
Flanders, Donald H	✓	
Holden, Rip		
Dowling, Patricia A		✓
Headd, James F, Clerk	✓	
Nevins, Chris F	✓	
Palfrey, David J	✓	
	10	6

Committee Report

REGULAR CALENDAR

February 16, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on COMMERCE AND
CONSUMER AFFAIRS to which was referred HB1392-
FN,

AN ACT requiring insurance companies to report to the
insurance department the number of claims denied.

Having considered the same, report the same with the
following Resolution: **RESOLVED**, That it is
INEXPEDIENT TO LEGISLATE.

Rep. John B Hunt

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee: COMMERCE AND CONSUMER AFFAIRS

Bill Number: HB1392-FN

Title: requiring insurance companies to report to the insurance department the number of claims denied.

Date: February 16, 2010

Consent Calendar: NO

Recommendation: INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill requires insurance companies to report to the commissioner of the insurance department the numbers of claims denied. The bill assumes that there is potentially information gained by noting the number of rejected claims by an insurance companies. The reality is to attempt to sort through the reasons for rejection would be costly to both the insurance companies and the insurance department for questionable data. Many denials are the fault of the providers billing the wrong insurance companies or not properly filling out the forms.

Vote 10-6

Rep. John B Hunt
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB1392-FN, requiring insurance companies to report to the insurance department the number of claims denied. **INEXPEDIENT TO LEGISLATE.**

Rep. John B Hunt for the **Majority** of **COMMERCE AND CONSUMER AFFAIRS**. This bill requires insurance companies to report to the commissioner of the insurance department the numbers of claims denied. The bill assumes that there is potentially information gained by noting the number of rejected claims by an insurance companies. The reality is to attempt to sort through the reasons for rejection would be costly to both the insurance companies and the insurance department for questionable data. Many denials are the fault of the providers billing the wrong insurance companies or not properly filling out the forms. **Vote 10-6.**

Original: House Clerk
Cc: Committee Bill File

compromise language worked out by the different interested parties. The most important change was to insure that this priority lean is constitutional by only effecting new condominium mortgages after the new law becomes effective.

HB 1392

This bill requires insurance companies to report to the commissioner of the insurance department the numbers of claims denied. The bill assumes that there is potentially informative information gained by noting the number of rejected claims by an insurance companies. The reality is to attempt to sort through the reasons for rejection would be costly to both the insurance companies and the insurance department for questionable data. Many denials are the fault of the providers billing the wrong insurance companies or not properly filling out the forms.

HB1409

This bill bans biometrics for state or privately issued identification cards and as a condition of doing business. Biometrics are defined by 9 different human characteristics such as fingerprints, palm prints, facial features pattern characteristics, characteristics of a handwritten signature, such as shape, speed, pressure, pen angle, or sequence, voice data used for comparing live speech with a previously-created speech model of a person's voice, iris recognition data containing color or texture patterns or codes, and even keystroke dynamics, measuring pressure applied to key pads. An amendment to make this ban apply only to the state failed because even the state currently uses biometrics when it records birth certificates that contain the baby's footprint.

On 2/12/10 9:49 AM, "Stapler, Carol" <carol.stapler@leg.state.nh.us> wrote:

Make that Tuesday (no worries)...all state & fed offices closed on Monday for Presidents Day...aw

REGULAR CALENDAR

February 16, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on COMMERCE AND
CONSUMER AFFAIRS to which was referred HB1392-
FN,**

**AN ACT requiring insurance companies to report to the
insurance department the number of claims denied.**

**Having considered the same, and being unable to agree
with the Majority, report with the recommendation that
the bill OUGHT TO PASS.**

Rep. Paul McEachern

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee: COMMERCE AND CONSUMER AFFAIRS

Bill Number: HB1392-FN

Title: requiring insurance companies to report to the insurance department the number of claims denied.

Date: February 16, 2010

Consent Calendar: NO

Recommendation: OUGHT TO PASS

STATEMENT OF INTENT

The minority believes that requiring insurance companies to report to the insurance department the number of claims denied will give the insurance department important data to look more closely at a company with a high claim's denial record.

**Rep. Paul McEachern
FOR THE MINORITY**

**Original: House Clerk
Cc: Committee Bill File**

REGULAR CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB1392-FN, requiring insurance companies to report to the insurance department the number of claims denied. **OUGHT TO PASS.**

Rep. Paul McEachern for the **Minority** of **COMMERCE AND CONSUMER AFFAIRS**. The minority believes that requiring insurance companies to report to the insurance department the number of claims denied will give the insurance department important data to look more closely at a company with a high claim's denial record.

Original: House Clerk
Cc: Committee Bill File

OTP

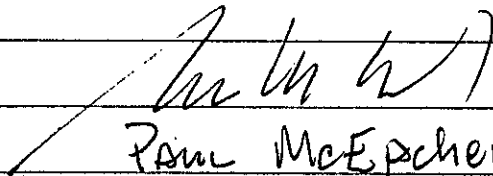
13927

yes!

Minority Report

HB ~~1966~~

The minority believes that
Requiring insurance companies to
Report to the insurance department
The number of claims denied will
give the Insurance Department important
data to look more closely at a
Company with a high claims
denial record.



Paul McEchern

