

**CHAPTER 214**  
**SB 157 - FINAL VERSION**

03/29/2017 1042s  
03/29/2017 1174s  
1Jun2017... 1772h

2017 SESSION

17-0968  
01/10

SENATE BILL            ***157***

AN ACT                    relative to network adequacy and consumer rights under the managed care law.

SPONSORS:            Sen. Feltes, Dist 15; Sen. Fuller Clark, Dist 21; Sen. Hennessey, Dist 5; Sen. Kahn, Dist 10; Sen. Lasky, Dist 13; Sen. Soucy, Dist 18; Sen. Watters, Dist 4; Sen. Woodburn, Dist 1; Rep. Luneau, Merr. 10; Rep. Williams, Hills. 4; Rep. Butler, Carr. 7

COMMITTEE:          Health and Human Services

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AMENDED ANALYSIS

     This bill adds rulemaking for persons with substance use disorder for the purposes of the managed care law. This bill also requires health carriers to notify covered persons of their consumer rights under RSA 420-J.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seventeen*

AN ACT                      relative to network adequacy and consumer rights under the managed care law.

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

1            214:1 Managed Care Law; Network Adequacy. Amend RSA 420-J:7, II(b) to read as follows:

2                      (b) Choice of and access to providers for specialty care, specifically addressing the needs  
3 of the chronically ill, mentally ill, **persons with substance use disorder**, developmentally disabled  
4 or those with a life threatening illness.

5            214:2 New Section; Notice of Consumer Rights. Amend RSA 420-J by inserting after section 7-  
6 d the following new section:

7            420-J:7-e Notice of Consumer Rights. A health carrier shall, at least annually, in a conspicuous  
8 communication as approved by the commissioner which may be included as an insert in an annual  
9 mailing or by electronic communication, notify each covered person of his or her consumer rights  
10 under this chapter, including, but not limited to, appeal rights and the ability to access services out-  
11 of-network in the event covered services are not available in-network. A health carrier shall also  
12 notify covered persons of the right to access out-of-network services when the covered person  
13 contacts the health carrier directly requesting assistance finding clinically appropriate in-network  
14 care. A health carrier shall also provide notification to covered persons of their right to appeal  
15 whenever a covered person contacts the health carrier regarding a denial of coverage or when a  
16 health carrier verbally informs the covered person of the denial of coverage.

          214:3 Effective Date. This act shall take effect January 1, 2018.

Approved: July 10, 2017  
Effective Date: January 01, 2018