



General Assembly

February Session, 2002

Amendment

LCO No. 5211

SB0032405211SD0

Offered by:

SEN. FONFARA, 1st Dist.

To: Senate Bill No. 324

File No. 200

Cal. No. 151

**"AN ACT CONCERNING DISCLOSURE OF HEALTH BENEFITS BY
INSURERS TO BARGAINING AGENTS."**

1 After the last section, add the following:

2 "Sec. 2. Section 38a-815 of the general statutes is repealed and the
3 following is substituted in lieu thereof (*Effective October 1, 2002*):

4 No person shall engage in this state in any trade practice which is
5 defined in section 38a-816, as amended, as, or determined pursuant to
6 sections 38a-817 and 38a-818 to be, an unfair method of competition or
7 an unfair or deceptive act or practice in the business of insurance, nor
8 shall any domestic insurance company engage outside of this state in
9 any act or practice defined in [subsections] subdivisions (1) to (12),
10 inclusive, of section 38a-816, as amended. The commissioner shall have
11 power to examine the affairs of every person engaged in the business
12 of insurance in this state in order to determine whether such person
13 has been or is engaged in any unfair method of competition or in any
14 unfair or deceptive act or practice prohibited by sections 38a-815 to

15 38a-819, inclusive, as amended. When used in said sections, (1)
16 "person" means any individual, corporation, limited liability company,
17 association, partnership, reciprocal exchange, interinsurer, Lloyd's
18 insurer, fraternal benefit society and any other legal entity engaged in
19 the business of insurance, including producers and adjusters; (2) "the
20 business of insurance" includes, but is not limited to, business
21 conducted by a utilization review company pursuant to an agreement
22 between the utilization review company and an insurer or health care
23 center in which the insurer or health care center transfers all or part of
24 its risk to pay health insurance claims and perform utilization review
25 with respect to certain insureds or subscribers; (3) "utilization review"
26 has the meaning set forth in section 38a-226; and (4) "utilization review
27 company" has the meaning set forth in section 38a-226."