



# Senate

General Assembly

January Session, 2005

**File No. 156**

Senate Bill No. 764

*Senate, April 5, 2005*

The Committee on Insurance and Real Estate reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT CONCERNING RECOVERY OF HEALTH INSURER OVERPAYMENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) No health insurer,  
2 hospital service corporation, medical service corporation, health care  
3 center or fraternal benefit society may seek recovery for overpayment  
4 of a claim under a health insurance policy unless written notice is  
5 provided to the person from whom recovery is sought not later than  
6 five years after the initial claim for payment was received by the  
7 insurer, corporation, health care center or fraternal benefit society. As  
8 used in this section, "health insurance policy" means an insurance  
9 policy providing any type of coverage specified in section 38a-469 of  
10 the general statutes, and "person" means a person, as defined in section  
11 38a-1 of the general statutes.

|   |                        |             |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>October 1, 2005</i> | New section |

**INS**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill prohibits insurers and HMOs from seeking an overpayment recovery for a claim paid under a health insurance policy under certain conditions. The bill has no fiscal impact.

**OLR Bill Analysis**

SB 764

**AN ACT CONCERNING RECOVERY OF HEALTH INSURER OVERPAYMENTS****SUMMARY:**

This bill prohibits insurers and HMOs from seeking to recover an overpayment for a claim paid under a health insurance policy unless the insurer or HMO provides written notice to the person from whom recovery is sought within five years after receiving the initial claim. By law, a "person" is an individual, corporation, partnership, limited liability company, association, joint stock company, business trust, unincorporated organization, or other legal entity.

EFFECTIVE DATE: October 1, 2005

**COMMITTEE ACTION**

Insurance and Real Estate Committee

Joint Favorable Report

Yea 13    Nay 2