



General Assembly

Substitute Bill No. 5155

February Session, 2008

* HB05155INS 031308 *

AN ACT INCLUDING AMBULANCE PROVIDERS IN THE PROTECTION AFFORDED BY THE CONNECTICUT UNFAIR INSURANCE PRACTICES ACT.

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

1 Section 1. Subdivision (15) of section 38a-816 of the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2008*):

4 (15) (A) Failure by an insurer, or any other entity responsible for
5 providing payment to a health care provider pursuant to an insurance
6 policy, to pay accident and health claims, including, but not limited to,
7 claims for payment or reimbursement to health care providers, within
8 the time periods set forth in subparagraph (B) of this subdivision,
9 unless the Insurance Commissioner determines that a legitimate
10 dispute exists as to coverage, liability or damages or that the claimant
11 has fraudulently caused or contributed to the loss. Any insurer, or any
12 other entity responsible for providing payment to a health care
13 provider pursuant to an insurance policy, who fails to pay such a claim
14 or request within the time periods set forth in subparagraph (B) of this
15 subdivision shall pay the claimant or health care provider the amount
16 of such claim plus interest at the rate of fifteen per cent per annum, in
17 addition to any other penalties which may be imposed pursuant to
18 sections 38a-11 of the 2008 supplement to the general statutes, 38a-25,
19 38a-41 to 38a-53, inclusive, 38a-57 to 38a-60, inclusive, 38a-62 to 38a-64,

20 inclusive, 38a-76, 38a-83, 38a-84, 38a-117 to 38a-124, inclusive, 38a-129
21 to 38a-140, inclusive, 38a-146 to 38a-155, inclusive, 38a-283, 38a-288 to
22 38a-290, inclusive, 38a-319, 38a-320, 38a-459, 38a-464, 38a-815 to 38a-
23 819, inclusive, 38a-824 to 38a-826, inclusive, and 38a-828 to 38a-830,
24 inclusive. Whenever the interest due a claimant or health care provider
25 pursuant to this section is less than one dollar, the insurer shall deposit
26 such amount in a separate interest-bearing account in which all such
27 amounts shall be deposited. At the end of each calendar year each such
28 insurer shall donate such amount to The University of Connecticut
29 Health Center.

30 (B) Each insurer, or other entity responsible for providing payment
31 to a health care provider pursuant to an insurance policy subject to this
32 section, shall pay claims not later than forty-five days after receipt by
33 the insurer of the claimant's proof of loss form or the health care
34 provider's request for payment filed in accordance with the insurer's
35 practices or procedures, except that when there is a deficiency in the
36 information needed for processing a claim, as determined in
37 accordance with section 38a-477, the insurer shall (i) send written
38 notice to the claimant or health care provider, as the case may be, of all
39 alleged deficiencies in information needed for processing a claim not
40 later than thirty days after the insurer receives a claim for payment or
41 reimbursement under the contract, and (ii) pay claims for payment or
42 reimbursement under the contract not later than thirty days after the
43 insurer receives the information requested.

44 (C) As used in this subdivision, "health care provider" means a
45 person licensed to provide health care services under chapter 368d,
46 chapter 368v, chapters 370 to 373, inclusive, 375 to 383c, inclusive, 384a
47 to 384c, inclusive, or chapter 400j.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	38a-816(15)

Statement of Legislative Commissioners:

In subparagraph (15)(A), the reference to the 2008 supplement to the general statutes following the string citation was deleted for clarity.

INS *Joint Favorable Subst.-LCO*