



General Assembly

January Session, 2023

***Raised Bill No. 6832***

LCO No. 4227



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:  
(INS)

***AN ACT CONCERNING ELECTRONIC NOTIFICATIONS FOR PRIOR AUTHORIZATIONS.***

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

1 Section 1. Section 38a-591c of the general statutes is amended by  
2 adding subsections (e) and (f) as follows (*Effective October 1, 2023*):

3 (NEW) (e) (1) Not later than January 1, 2024, the commissioner shall  
4 develop and establish:

5 (A) Technical standards for hospitals and health care professionals to  
6 electronically file prior authorization requests, and other requests for  
7 prospective or concurrent utilization reviews, with health carriers; and

8 (B) Standardized clinical review criteria for common services,  
9 treatments and procedures provided in hospitals in inpatient and  
10 outpatient settings.

11 (2) The commissioner shall develop such technical standards  
12 required under subparagraph (A) of subdivision (1) of this subsection  
13 in consultation with appropriate standard-setting organizations,

14 hospitals, health care professionals, health carriers and health  
15 information technology software vendors. Such technical standards  
16 shall include, but need not be limited to, standards to ensure that  
17 electronic prior authorization requests, and other electronic requests for  
18 prospective or concurrent utilization reviews, filed by hospitals and  
19 health care professionals with health carriers, support attachments that  
20 contain clinical information and can be integrated into existing  
21 electronic health record systems.

22 (3) The commissioner shall develop such standardized clinical review  
23 criteria required under subparagraph (B) of subdivision (1) of this  
24 subsection in consultation with hospitals, health care professionals and  
25 health carriers.

26 (f) (1) Not later than March 1, 2024, each health carrier shall establish  
27 an electronic program to provide for the secure electronic:

28 (A) (i) Filing of prior authorization requests, and other requests for  
29 prospective or concurrent utilization reviews, by hospitals and health  
30 care professionals with such health carrier, and (ii) submission of  
31 available clinical information in support of such requests; and

32 (B) Transmission of such health carrier's responses to such requests  
33 described in subparagraph (A) of this subdivision.

34 (2) Each electronic program established pursuant to subdivision (1)  
35 of this subsection shall comply with all standards developed and  
36 established by the commissioner pursuant to subsection (e) of this  
37 section.

38 (3) No facsimile, electronic form or proprietary health carrier portal  
39 that fails to comply with the technical standards developed and  
40 established by the commissioner pursuant to subsection (e) of this  
41 section shall be deemed to satisfy the provisions of this subsection.

42 (4) Each health carrier shall provide hospitals and health care  
43 professionals with access to such health carrier's criteria for making

44 determinations on prior authorization requests and other requests for  
45 prospective or concurrent utilization reviews, including, but not limited  
46 to, an itemization of any documentation such health carrier requires for  
47 such requests.

48 (5) Notwithstanding any provision of this subsection, no health  
49 carrier shall implement any technical or clinical standards pursuant to  
50 this subsection unless such health carrier has consulted with hospitals  
51 to facilitate seamless transmission and processing of requests for prior  
52 authorization or other requests for prospective or concurrent utilization  
53 reviews. Such consultations shall include, but need not be limited to,  
54 consultations concerning the ability of hospitals and health care  
55 professionals to submit clinical records and securely access electronic  
56 health information.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	38a-591c(e) and (f)

**Statement of Purpose:**

To require the development of electronic prior authorization standards.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*