

2018 Regular Session

HOUSE BILL NO. 194

BY REPRESENTATIVE HOWARD

INSURANCE/HEALTH: Provides a time period after payment of a claim during which an insurer may dispute and recoup the amount paid

1 AN ACT

2 To amend and reenact R.S. 22:1838(F) and to enact R.S. 22:1838(G), relative to recoupment
3 of health insurance claims payments; to prohibit recoupments after the expiration of
4 one year from the date the initial claim was paid; to provide for applicability; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1838(F) is hereby amended and reenacted and R.S. 22:1838(G)
8 is hereby enacted to read as follows:

9 §1838. Recoupment of health insurance claims payments

10 * * *

11 F.(1) A health insurance issuer shall not retroactively deny, adjust, or seek
12 recoupment or refund of a paid claim for healthcare expenses submitted by a
13 healthcare provider for any reason after the expiration of one year from the date the
14 initial claim was paid.

15 (2) This Subsection shall not be construed to supersede any provision of law
16 that prescribes a time period less than one year for the retroactive denial of payment
17 or recoupment of monies paid for a claim or the reconsideration of the validity of a
18 claim.

19 G. The provisions of this Section shall not apply to the Office of Group
20 Benefits.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 194 Original

2018 Regular Session

Howard

Abstract: Prohibits the recoupment of health insurance claims payments more than a year after the initial claim was paid.

Present law provides for the recoupment of health insurance claims payments.

Proposed law retains present law.

Proposed law prohibits a health insurance issuer from retroactively denying, adjusting, or seeking recoupment or refund of a paid claim for healthcare expenses submitted by a healthcare provider for any reason after the expiration of one year from the date the initial claim was paid.

Proposed law shall not be construed to supersede any provision of present law that prescribes a time period less than one year for the retroactive denial of payment or recoupment of monies paid for a claim or the reconsideration of the validity of a claim.

(Amends R.S. 22:1838(F); Adds R.S. 22:1838(G))