

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 169 By Senator Claitor

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

AUTOMOBILE INSURANCE: Provides relative to payment of medical claims by the insurer. (8/15/11)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Allows the health insurance issuer to seek reimbursement for the full amount of medical payment coverage proceeds after a period of nine months from the date of the accident from which medical claims arise.
2. Deletes requirement that a person seeking to enforce proposed law be entitled to recover court costs and attorney fees in any action or proceeding to enforce proposed law.
3. Provides that proposed law shall not apply to Medicare Advantage plans or self-insured plans.
4. Adds exception to prohibition by agreement between the parties and in accordance with regulations of the Department of Insurance governing the coordination of benefits.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Proposed law prohibits a health insurance issuer from seeking reimbursement from an insurer that provides automobile medical payment coverage to the health insurance issuer's insured or member without obtaining prior written consent of the insured or member or his legal representative, except as provided in the proposed law or by agreement between the parties and in accordance with regulations of the Department of Insurance governing the coordination of benefits. However, after a period of nine months from the date of the accident from which medical claims arise, allows the health insurance issuer to seek reimbursement for the full amount of medical payment coverage proceeds.

Proposed law does not prohibit or impair the rights of an insurer or provider from seeking reimbursement of monies paid; however, the total amount to be reimbursed is not to exceed the amount actually paid by the insurer or provider.

Proposed law provides that proposed law shall not apply to Medicare Advantage plans or self-insured plans.

Effective August 15, 2011.

(Adds R.S. 22:1881)

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