

## State Corporation Commission 2019 Fiscal Impact Statement

**1. Bill Number:** SB1362

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Wagner

**3. Committee:** Commerce and Labor

**4. Title:** Health benefit plans; balance billing for ancillary services.

**5. Summary:** Prohibits an out-of-network provider from balance billing a covered person for the costs of an ancillary service when an in-network provider referred the covered person to the out-of-network provider unless (i) the referring in-network provider provided the covered person with a notice of liability for the balance; (ii) the out-of-network provider, prior to providing an ancillary service to the covered person, provided a good faith estimate of the out-of-network provider's charges upon request; (iii) the out-of-network provider provided the covered person with a notice of liability for the balance; and (iv) the covered person acknowledged, by signing the out-of-network provider's notice of liability for the balance, that he is aware that using the out-of-network provider may result in his being balance billed. The prohibition on balance billing applies to amounts in excess of the allowed amount, which is the amount that a carrier is obligated to pay, pursuant to the terms of the covered person's health benefit plan, to a covered person for ancillary services provided by an out-of-network provider, net any copayment, deductible, or other cost-sharing amount.

**6. Budget amendment necessary:** No

**7. Fiscal Impact Estimates:** No Fiscal Impact on the State Corporation Commission

**8. Fiscal Implications:** None on the State Corporation Commission

**9. Specific agency or political subdivisions affected:** State Corporation Commission Bureau of Insurance

**10. Technical amendment necessary:** No

**11. Other comments:** This bill was passed by indefinitely in Senate Commerce and Labor with letter on January 31, 2019.

**Date:** 02/10/19/V. Tompkins