

State Corporation Commission 2023 Fiscal Impact Statement

1. Bill Number: HB2354

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Orrock

3. Committee: Commerce and Energy

4. Title: Health care provider panels; continuity of care.

5. Summary: Makes various changes to provisions related to the continuity of care for an enrollee after a provider is terminated from a health insurance carrier's provider panel. The bill requires a carrier that uses a provider panel to establish procedures for notifying an enrollee of (i) the termination from the carrier's provider panel of a provider who was furnishing health care services to the enrollee or furnished health care services to the enrollee in the six months prior to the notice and (ii) the right of an enrollee upon request to continue to receive health care services as provided in the bill following the provider's termination from a carrier's provider panel unless the provider was terminated for cause. The bill requires the carrier to provide such notices prior to the date of the termination of the provider. The bill removes separate notice requirements for the termination of a primary care provider or a specialty referral services provider.

The bill provides that a provider is permitted to render health care services to any of the carrier's enrollees for a period of at least 90 days from the date of a provider's termination from the carrier's provider panel, except when a provider is terminated for cause. The bill provides that for an enrollee who (a) has been medically confirmed to be pregnant at the time of a provider's termination, the provider may continue care through the postpartum period; (b) has been determined by a medical professional to have a life-threatening condition at the time of a provider's termination of participation, the provider may continue care for up to 180 days; and (c) is admitted to and receiving treatment in any inpatient facility at the time of a provider's termination, the provider may continue care, without any time limitation, until the enrollee is discharged from the inpatient facility. The bill provides that under the continuity of care provisions, "provider" includes a provider group.

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: The amendment in the nature of a substitute to House Bill 2354 also amends § 38.2-4319 to make the provisions of the bill applicable to health maintenance organizations.

Date: 01/27/23/V. Tompkins