

30-LS0852J
Wallace
2/14/18

CS FOR HOUSE BILL NO. 313()

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES GRENN, Tuck

A BILL

FOR AN ACT ENTITLED

"An Act relating to payments to providers and covered persons and recovery of payments by health care insurers."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 21.54.020(d) is amended to read:

(d) This section does not prohibit a health care insurer from recovering an amount mistakenly paid to a provider or a covered person. **A health care insurer may not seek recovery of an amount mistakenly paid more than 18 months after the date the claim was paid unless the**

(1) claim was submitted fraudulently;

(2) payment was made for a duplicate claim;

(3) health care services identified in the claim were not delivered by the health care provider;

(4) payment or claim is subject to adjustment by another health care insurer; or

(5) payment or claim is the subject of legal action.

* **Sec. 2.** AS 21.54.050(d) is amended to read:

(d) This section does not prohibit an insurer from recovering an indemnity mistakenly paid to a provider or a covered person. **A health care insurer may not seek recovery of an amount mistakenly paid more than 18 months after the date the claim was paid unless the**

(1) claim was submitted fraudulently;

(2) payment was made for a duplicate claim;

(3) health care services identified in the claim were not delivered by the health care provider;

(4) payment or claim is subject to adjustment by another health care insurer; or

(5) payment or claim is the subject of legal action.

* **Sec. 3.** AS 39.30 is amended by adding a new section to read:

Sec. 39.30.093. Recovery of payments. A health care insurance plan obtained under AS 39.30.090 or provided under AS 39.30.091 is subject to the requirements of AS 21.54.020(d) and 21.54.050(d) for recovery of an amount mistakenly paid.