

1 SB253
2 148898-2
3 By Senator Bussman
4 RFD: Health
5 First Read: 26-FEB-13

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8 SYNOPSIS: This bill would provide that any optometric
9 or dental plan beneficiary or beneficiary of
10 certified registered nurse anesthetist services may
11 assign reimbursement for optometric or dental
12 services or certified registered nurse anesthetist
13 services directly to the provider of the services.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 To provide that any optometric or dental plan
20 beneficiary or beneficiary of certified registered nurse
21 anesthetist services may assign reimbursement for optometric
22 or dental services or certified registered nurse anesthetist
23 services directly to the provider of the services.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) An insured or an optometric or dental
26 plan beneficiary and an insured or beneficiary receiving
27 services of a certified registered nurse anesthetist may

1 assign reimbursement for optometric or dental care services or
2 certified registered nurse anesthetist services directly to
3 the provider of services. The company or agency, when
4 authorized by the insured or optometric or dental plan
5 beneficiary, or an insured or beneficiary of certified
6 registered nurse anesthetist services, shall pay directly to
7 the health care provider the amount of the claim, under the
8 same criteria and payment schedule that would have been
9 reimbursed directly to the contract provider, and any
10 applicable interest. This amount only applies to assigned
11 claims. Any company or agency making a payment to the insured
12 or optometric or dental plan beneficiary, or the insured or
13 beneficiary of certified registered nurse anesthetist
14 services, after the rights of reimbursement have been assigned
15 to the provider of services, shall be liable to the provider
16 for the payment. If the company or agency fails to reimburse
17 the provider in accordance with the terms of the provider
18 contract as provided in this section, then the provider shall
19 be entitled to recover in the circuit or district courts of
20 this state from the company or agency responsible for the
21 payment of the claim an amount equal to the value of such
22 claim plus interest and a reasonable attorney's fee to be
23 determined by the court.

24 (b) Nothing in this section shall be construed to
25 limit any insurer, health maintenance organization, preferred
26 provider organization, health care service corporation, or
27 other third party payor from determining the scope of its

1 benefits or services or any other terms of its group and/or
2 individual insured, subscriber or enrollee contracts nor from
3 negotiating contracts with licensed providers on reimbursement
4 rates or any other lawful provisions, except that the contract
5 providing coverage to an insured may not exclude the right of
6 assignment of benefits to any provider at the same benefit
7 rate as paid to a contract provider.

8 (c) This section shall not apply to any persons
9 covered under a state administered health benefit plan.

10 (d) For purposes of this section, company or agency
11 includes health care service plans organized pursuant to
12 Article 6, Chapter 20, Title 10A, Code of Alabama 1975, and
13 health maintenance organizations organized pursuant to Chapter
14 21A, Title 27, Code of Alabama 1975.

15 Section 2. The provisions of this act are
16 supplemental and shall not be construed to repeal any other
17 law not in direct conflict herewith.

18 Section 3. This act shall not be construed to impair
19 any contract entered into prior to the effective date of this
20 act.

21 Section 4. This act shall become effective on the
22 first day of the third month following its passage and
23 approval by the Governor, or its otherwise becoming law.