

## Session 114 - (2001-2002)

### **H 5267 General Bill, By Sinclair, Talley, R.L. Brown, Coleman, Merrill, Rivers, Sheheen, W.D. Smith and Weeks**

**Summary:** Health insurance coverage, provisions regarding insured's request for external review of denial of coverage

A BILL TO AMEND SECTION 38-71-1940, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT A HEALTH INSURANCE CARRIER PROVIDE NOTICE TO AN INSURED ON THE RIGHT TO REQUEST AN EXTERNAL REVIEW OF A DENIAL OF COVERAGE, SO AS TO PROVIDE THAT AN ADVERSE DETERMINATION INCLUDES DENIAL OF COVERAGE BASED ON MEDICAL NECESSITY OR OTHER CLINICAL DECISIONS; TO AMEND SECTION 38-71-1960, RELATING TO THE REQUIREMENT THAT AN INSURED EXHAUST THE HEALTH CARRIER'S INTERNAL APPEAL PROCESS BEFORE SEEKING AN EXTERNAL REVIEW, SO AS TO REQUIRE THE CARRIER TO SUBMIT ITS INTERNAL APPEAL PROCEDURES AND THE TIME PERIODS WITHIN WHICH THE APPEAL MUST BE CONDUCTED AND COMPLETED TO THE DEPARTMENT OF INSURANCE FOR APPROVAL; TO AMEND SECTION 38-71-1970, RELATING TO REQUESTS FOR EXTERNAL REVIEW, SO AS TO CLARIFY THAT FAILURE BY A HEALTH CARRIER TO PROVIDE DOCUMENTS TO THE INDEPENDENT REVIEW ORGANIZATION MAY NOT DELAY THE EXTERNAL REVIEW AND TO FURTHER CLARIFY THAT IN CONVENING THE EXTERNAL REVIEW PANEL, THE HEALTH CARRIER MAY REQUEST, RATHER THAN REQUIRE, A CERTAIN NUMBER OF HEALTH PROFESSIONALS BE SEATED ON THE PANEL; AND TO AMEND SECTION 38-71-1980, AS AMENDED, RELATING TO EXPEDITED EXTERNAL REVIEW, SO AS TO CLARIFY PROCEDURES RESULTING FROM A HEALTH CARRIER FAILING TO PROVIDE DOCUMENTS WITHIN THE REQUIRED TIME PERIODS.

**05/14/02 House Introduced and read first time HJ-75**

**05/14/02 House Referred to Committee on Labor, Commerce and Industry HJ-76**