**South Carolina General Assembly**

119th Session, 2011-2012

**S. 472**

**STATUS INFORMATION**

General Bill

Sponsors: Senators O'Dell and Cleary

Document Path: l:\council\bills\agm\18426ab11.docx

Companion/Similar bill(s): 320, 3509

Introduced in the Senate on January 27, 2011

Currently residing in the Senate Committee on **Banking and Insurance**

Summary: Health insurers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/27/2011 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h:\sj%20archive\2011\01-27-11.docx))

1/27/2011 Senate Referred to Committee on **Banking and Insurance** ([Senate Journal‑page 11](file:///h:\sj%20archive\2011\01-27-11.docx))

**VERSIONS OF THIS BILL**

[1/27/2011](file:///p:\pprever\2011-12\472_20110127.docx)

**A** **BILL**

TO AMEND SECTION 38‑71‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COVERAGE THAT MAY BE WRITTEN BY A LICENSED ACCIDENT AND HEALTH INSURER, SO AS TO PROHIBIT THE INSURER FROM DIRECTLY PAYING MONEY TO AN INSURED FOR A HEALTH CARE SERVICE PROVIDED TO THE INSURED, AND TO PROVIDE EXCEPTIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38‑71‑10 of the 1976 Code is amended to read:

“Section 38-71-10. (A) ~~All~~ A licensed accident and health ~~insurers are entitled to~~ insurer must:

~~(a)~~(1) issue and deliver a service benefit ~~contracts~~ contract to provide for prepayment of ~~any~~ a health care service and to make payment directly to the provider of the ~~services~~ service, in whole or in part, including, but not limited to, a professional ~~services~~ service, ~~any~~ institutional care, a personal ~~services~~ service, and supplies.

~~(b)~~(2) issue and deliver ~~contracts~~ a contract of indemnity or ~~contracts~~ contract providing for payment of money ~~directly to the insureds or for them~~ on behalf of an insured for a health care ~~services~~ service provided to an insured.

(B) Notwithstanding another provision of law, a licensed accident and health insurer may not make a payment of money directly to an insured for a health care service received by the insured.

(C) The provisions of this section do not apply to:

(1) supplemental or secondary insurance coverage; or

(2) a person who documents to the insurer that he has fully paid the health care provider for the service rendered.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑