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# SENATE CONCURRENT RESOLUTION

REQUESTING THE INSURANCE COMMISSIONER TO CREATE A WORKING GROUP  
TO STUDY INSURANCE RECOUPMENT.

1           WHEREAS, insurance recoupment occurs when a health  
2 insurance plan pays benefits to providers and later seeks  
3 reimbursement for the benefits, after the health insurance plan  
4 determines that the benefits were paid out in error; and  
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6           WHEREAS, health care providers in Hawaii have a time limit  
7 in which to submit claims to health insurance plans; and  
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9           WHEREAS, however, there is no similar time limit in Hawaii  
10 that prevents health insurance plans from attempting to recoup  
11 funds previously paid to health care providers; and  
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13           WHEREAS, the lack of a time limit on insurance recoupment  
14 results in an ongoing, open-ended liability for health care  
15 professionals and health care providers and undermines the  
16 ability for these professionals and providers to build upon and  
17 plan a viable, economically feasible practice; and  
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19           WHEREAS, thirty states and the District of Columbia have  
20 passed legislation limiting the time during which a health  
21 insurance plan may take money back for services that have  
22 already been provided; and  
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24           WHEREAS, time limits for insurance recoupment in these  
25 jurisdictions are between six months to sixty months, with the  
26 average time frame ranging from twelve to twenty-four months;  
27 and  
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29           WHEREAS, assessing the issues surrounding insurance  
30 recoupment is paramount to maintaining a robust and sustainable  
31 health care system; now, therefore,  
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1 BE IT RESOLVED by the Senate of the Twenty-seventh  
 2 Legislature of the State of Hawaii, Regular Session of 2013, the  
 3 House of Representatives concurring, that the Insurance  
 4 Commissioner is requested to form a working group to study  
 5 insurance recoupment; and

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 7 BE IT FURTHER RESOLVED that the insurance recoupment  
 8 working group include the following members:

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- 10 (1) Insurance Commissioner, who shall serve as chair;
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- 12 (2) Director of Health, or the Director's designee;
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- 14 (3) Director of Human Services, or the Director's
- 15 designee;
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- 17 (4) Representatives from the health care provider
- 18 community;
- 19
- 20 (5) Representatives of health care professionals;
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- 22 (6) Representatives from the Hawaii Association of Health
- 23 Plans;
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- 25 (7) A representative from the Healthcare Association of
- 26 Hawaii;
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- 28 (8) A representative from the Hawaii Medical Association;
- 29 and
- 30
- 31 (9) A representative from the Hawaii Primary Care
- 32 Association, who shall advocate for consumer
- 33 interests; and
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35 BE IT FURTHER RESOLVED that the working group is requested  
 36 to assess the problems of insurance recoupment, if any, study  
 37 the impact of limiting the period allowed to initiate any  
 38 recoupment or offset demand efforts, and review how other states  
 39 mandate recoupment; and

40  
 41 BE IT FURTHER RESOLVED that the working group is requested  
 42 to report its findings and recommendations, including any  
 43 proposed legislation, to the Legislature no later than twenty  
 44 days prior to the convening of the Regular Session of 2014; and



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2 BE IT FURTHER RESOLVED that certified copies of this  
3 Concurrent Resolution be transmitted to the Insurance  
4 Commissioner, Director of Health, Director of Human Services,  
5 Hawaii Association of Health Plans, Healthcare Association of  
6 Hawaii, Hawaii Medical Association, and Hawaii Primary Care  
7 Association.  
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