

**ADOPTED**

1 Senators Shafer of the 48th, Hudgens of the 47th and Moody of the 56th offered the  
2 following amendment:

3 Amend HB 291 by inserting after "deductibles;" on line 3 on page 1 "to authorize the  
4 Commissioner of Insurance to establish by rule or regulation a standard or uniform  
5 explanation of benefits form and remittance advice form relating to certain health insurance  
6 policies and contracts;".

7 By inserting after line 23 on page 4 the following:

**"SECTION 3.**

8  
9 Said title is further amended by striking Code Section 33-24-10.1, relating to standard or  
10 uniform claim form, and inserting in lieu thereof a new Code Section 33-24-10.1 to read as  
11 follows:

12 '33-24-10.1.

13 (a) The Commissioner is authorized to establish by rule or regulation a standard or uniform  
14 claim form to be supplied by insurers on and after January 1, 1994, to their insureds for the  
15 purpose of filing claims under policies or contracts of accident and sickness insurance.

16 (b)(1) The Commissioner is authorized to establish by rule or regulation a standard or  
17 uniform explanation of benefits form and a standard or uniform remittance advice form  
18 to be supplied by an insurer or plan or any agent thereof to an insured, provider,  
19 beneficiary, claimant, or enrollee on and after July 1, 2005, for the purpose of paying or  
20 resolving claims filed under policies or contracts of accident and sickness insurance other  
21 than limited benefit insurance plans or policies. This authorization shall also apply to any  
22 explanation of benefits form and remittance advice form issued by a managed care plan  
23 as defined in Code Section 33-20A-3 or issued by the state health benefit plan or the  
24 board of regents health plan operated by the Department of Community Health pursuant  
25 to Code Section 31-5A-4.

26 (2) For purposes of this Code section, "explanation of benefits" or "remittance advice"  
27 means any written or electronic communication from an insurer or plan or any agent  
28 thereof to an insured, provider, beneficiary, claimant, or enrollee which explains or  
29 attempts to explain the benefits paid or to be paid by the insurer, the plan, or other  
30 persons related to any claim submitted by or on behalf of the insured, provider,  
31 beneficiary, claimant, or enrollee.

1       (3) Such rule or regulation shall, at a minimum, require the explanation of benefits form  
2       and the remittance advice form to be easily understood by a reasonable consumer and to  
3       contain:

4       (A) The amount of the claim to be paid by the insurer or plan;

5       (B) The amount of the claim to be paid by any other person;

6       (C) The amount of the claim for which the insured, beneficiary, claimant, or enrollee  
7       is personally responsible; and

8       (D) Any additional information deemed by the Commissioner to be necessary to reduce  
9       confusion and promote the prompt payment and adjudication of claims.

10      (c) The Commissioner shall file and maintain on file in the office of the Commissioner a  
11      true copy of the standard or uniform claim form and explanation of benefits form and  
12      remittance advice form designated as such and bearing the Commissioner's authenticating  
13      signature and the date of filing."

14      By redesignating Sections 3 through 16 as Sections 4 through 17, respectively.