

HOUSE BILL NO. 544

INTRODUCED BY S. REICHNER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PERMISSIBLE AND MANDATORY PROVISIONS IN
5 PREFERRED PROVIDER AGREEMENTS, INSURANCE POLICIES, AND SUBSCRIBER CONTRACTS;
6 REMOVING REIMBURSEMENT LIMITATIONS IF A PROVIDER NETWORK IS DETERMINED TO BE
7 ADEQUATE; AND AMENDING SECTION 33-22-1706, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 33-22-1706, MCA, is amended to read:
12 **"33-22-1706. Permissible and mandatory provisions in provider agreements, insurance policies,
13 and subscriber contracts.** (1) A provider agreement, insurance policy, or subscriber contract issued or delivered
14 in this state may contain ~~certain other~~ components designed to control the cost and improve the quality of health
15 care for insureds and subscribers, ~~including:~~ as provided in this part.
16 (2) All terms or conditions of an insurance policy or subscriber contract, except those already approved
17 by the commissioner, are subject to the prior approval of the commissioner.
18 (3) Provisions designed to control cost and improve the quality of health care under this section include
19 but are not limited to those
20 (a) a provision setting that set a payment difference for reimbursement of a nonpreferred provider as
21 compared to a preferred provider and those designed to give policyholders or subscribers an incentive to choose
22 a particular provider consistent with the other provisions of this part. If the
23 (4) (a) A health benefit plan that contains a payment difference provision; and that the commissioner has
24 determined to have an adequate provider network is not subject to subsection (4)(b).
25 (b) A health benefit plan that contains a payment difference provision and has not been determined to
26 have an adequate provider network may not exceed a 25% the payment difference may not exceed 25% of in
27 the reimbursement level at which for a preferred provider, and the would be reimbursed. The commissioner shall
28 review differences between copayments, deductibles, and other cost-sharing arrangements under this subsection
29 (4)(b).
30 (c) FOR THE PURPOSES OF THIS SUBSECTION (4), A PROVIDER NETWORK IS ADEQUATE IF:

