

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1032

Short Title: Health Ins./UR Retrospective Review Limit. (Public)

Sponsors: Representatives Nye; and Smith.

Referred to: Insurance.

April 9, 2001

A BILL TO BE ENTITLED

1 AN ACT LIMITING RETROSPECTIVE REVIEWS UNDER UTILIZATION
2 REVIEW IN HEALTH BENEFIT PLANS.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 58-50-61(g) reads as rewritten:

6 "(g) Retrospective Reviews. – As used in this subsection, "necessary information"
7 includes the results of any patient examination, clinical evaluation, or second opinion
8 that may be required. For retrospective review determinations, an insurer shall make the
9 determination within 30 days after receiving all necessary information. For a
10 certification, the insurer may give written notification to the covered person's provider.
11 For a noncertification, the insurer shall give written notification to the covered person
12 and the covered person's provider within five business days after making the
13 noncertification. An insurer may use retrospective review for the certification or
14 noncertification of coverage only if the covered person or provider acting on behalf of
15 the covered person fails to comply with the applicable notification requirements for
16 prospective or concurrent review, or, after meeting the requirements for timely
17 notification, fails to modify care as required by applicable standards or protocols
18 communicated to the provider."

19 **SECTION 2.** This act is effective when it becomes law.