

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 36

Short Title: Managed Care Ombudsman. (Public)

Sponsors: Representatives Nye, Nesbitt, Cunningham, Edwards, Insko; Barefoot, Justus, Luebke, Wainwright, Weiss, and Womble.

Referred to: Insurance.

February 1, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A MANAGED CARE OMBUDSMAN PROGRAM
3 WITHIN THE DEPARTMENT OF INSURANCE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 2 of Chapter 58 of the General Statutes is amended by
6 adding the following new section to read:

7 "**§ 58-2-27. Managed Care Ombudsman in the Department of Insurance.**

8 (a) The Commissioner shall appoint a Managed Care Ombudsman and hire other
9 staff necessary and appropriate to carry out the duties and responsibilities set out in
10 subsection (b) of this section. The Managed Care Ombudsman shall have expertise and
11 experience in both health care and advocacy.

12 (b) The duties and responsibilities of the Managed Care Ombudsman are as follows:

- 13 (1) Develop and distribute educational and informational materials for
14 consumers explaining their rights and responsibilities as HMO
15 enrollees.
- 16 (2) Assist HMO enrollees in filing appeals and grievances pertaining to
17 insurance matters, and to assist HMO enrollees in utilizing internal
18 review procedures remedies on behalf of HMO enrollees.
- 19 (3) Publicize the Office of the Managed Care Ombudsman.
- 20 (4) Answer inquiries posed by HMO enrollees.
- 21 (5) Compile data on the activities of the Office, and evaluate such data to
22 make recommendations as to the needed activities of the Office.
- 23 (6) Refer those complaints that appear to be of a regulatory nature to
24 regulatory staff within the Department of Insurance.

25 (c) The Commissioner shall annually report the activities of the Managed Care
26 Ombudsman, including the types of appeals, grievances, and complaints received and
27 the outcome of these cases. The report shall be submitted to the General Assembly,

1 upon its convening, and shall make recommendations as to efforts that could be
2 implemented to assist HMO consumers."

3 **SECTION 2.** There is appropriated from the General Fund the sum of two
4 hundred fifty thousand (\$250,000) for the 2001-2002 fiscal year and five hundred
5 thousand dollars (\$500,000) for the 2002-2003 fiscal year for the Office of the Managed
6 Care Ombudsman established under this act.

7 **SECTION 3.** This act becomes effective January 1, 2002.