

S.B. 206

OFFICE OF MEDICAID INSPECTOR GENERAL AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 26, 2013 12:00 PM

Senator **Allen M. Christensen** proposes the following amendments:

1. *Page 1, Lines 14 through 23:*

14 This bill:
15 ▶ empowers the Office of Inspector General of Medicaid Services to request
16 eligibility information from a health insurance entity;
17 ▶ establishes that a health insurance entity may not deny a claim if:
18 • the Office of Inspector General of Medicaid Services is seeking to enforce the
19 rights of the state with respect to the claim; and
20 • the enforcement action is begun not later than ~~{six}~~ three years after the day on
21 which
22 the claim is submitted; and
23 ▶ enables the Office of Inspector General of Medicaid Services to report fraud directly
to law enforcement.

2. *Page 2, Line 55 through Page 3, Line 63:*

55 ~~[(4)]~~ (d) not deny a claim submitted by the Department of Health or the Office of
56 Inspector General of Medicaid Services solely on the basis of the date of submission of the
57 claim, the type or format of the claim form, lack of prior authorization, or failure to present
58 proper documentation at the point-of-sale that is the basis for the claim, if:
59 ~~[(a)]~~ (i) the claim is submitted no later than three years after the day on which the item
60 or service is furnished; and
61 ~~[(b)]~~ (ii) any action by the Department of Health or the Office of Inspector General of
62 Medicaid Services to enforce the rights of the state with respect to the claim is commenced no
63 later than ~~{six}~~ three years after the day on which the claim is submitted.

3. *Page 4, Line 116 through Page 5, Line 121:*

116 ~~{(11) "Recovery" means the seizure of improperly obtained funds or property.}~~
117 ~~{+}~~ (11) ~~{+}~~ ~~{(12)}~~ "Upcoding" means assigning an inaccurate billing code for a service
that is
118 payable or reimbursable by Medicaid funds, if the correct billing code for the service, taking
119 into account reasonable opinions derived from official published coding definitions, would
120 result in a lower Medicaid payment or reimbursement.
121 ~~{+}~~ (12) ~~{+}~~ ~~{(13)}~~ "Waste" means overutilization of resources or inappropriate payment.

4. Page 6, Line 156:

156 [(+) (m)] {~~seek recovery of~~} recover improperly paid Medicaid funds;