
SENATE CONCURRENT RESOLUTION

REQUESTING THE INSURANCE COMMISSIONER TO CREATE A WORKING GROUP
TO STUDY INSURANCE RECOUPMENT.

1 WHEREAS, insurance recoupment occurs when a health
2 insurance plan pays benefits to providers and later seeks
3 reimbursement for the benefits, after the health insurance plan
4 determines that the benefits were paid out in error; and

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6 WHEREAS, health care providers in Hawaii have a time limit
7 in which to submit claims to health insurance plans; and

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9 WHEREAS, however, there is no similar time limit in Hawaii
10 that prevents health insurance plans from attempting to recoup
11 funds previously paid to health care providers; and

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13 WHEREAS, the lack of a time limit on insurance recoupment
14 results in an ongoing, open-ended liability for health care
15 professionals and health care providers and undermines the
16 ability for these professionals and providers to build upon and
17 plan a viable, economically feasible practice; and

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19 WHEREAS, thirty states and the District of Columbia have
20 passed legislation limiting the time during which a health
21 insurance plan may take money back for services that have
22 already been provided; and

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24 WHEREAS, time limits for insurance recoupment in these
25 jurisdictions are between six months to sixty months, with the
26 average time frame ranging from twelve to twenty-four months;
27 and

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29 WHEREAS, assessing the issues surrounding insurance
30 recoupment is paramount to maintaining a robust and sustainable
31 health care system; now, therefore,
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1 BE IT RESOLVED by the Senate of the Twenty-seventh
 2 Legislature of the State of Hawaii, Regular Session of 2013, the
 3 House of Representatives concurring, that the Insurance
 4 Commissioner is requested to form a working group to study
 5 insurance recoupment; and

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 7 BE IT FURTHER RESOLVED that the insurance recoupment
 8 working group include the following members:

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 10 (1) Insurance Commissioner, who shall serve as chair;
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 12 (2) Director of Health, or the Director's designee;
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 14 (3) Director of Human Services, or the Director's
 15 designee;
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 17 (4) Representatives from the health care provider
 18 community;
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 20 (5) Representatives of health care professionals;
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 22 (6) Representatives from the Hawaii Association of Health
 23 Plans;
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 25 (7) A representative from the Healthcare Association of
 26 Hawaii;
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 28 (8) A representative from the Hawaii Medical Association;
 29 and
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 31 (9) A representative from the Hawaii Primary Care
 32 Association, who shall advocate for consumer
 33 interests; and

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 35 BE IT FURTHER RESOLVED that the working group is requested
 36 to assess the problems of insurance recoupment, if any, study
 37 the impact of limiting the period allowed to initiate any
 38 recoupment or offset demand efforts, and review how other states
 39 mandate recoupment; and

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 41 BE IT FURTHER RESOLVED that the working group is requested
 42 to report its findings and recommendations, including any
 43 proposed legislation, to the Legislature no later than twenty
 44 days prior to the convening of the Regular Session of 2014; and



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2 BE IT FURTHER RESOLVED that certified copies of this
3 Concurrent Resolution be transmitted to the Insurance
4 Commissioner, Director of Health, Director of Human Services,
5 Hawaii Association of Health Plans, Healthcare Association of
6 Hawaii, Hawaii Medical Association, and Hawaii Primary Care
7 Association.
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