

## Application of SB418 to Physicians and Providers (statutes and rules relating to PPO contracts)

For any conflicts between the following reference materials and the rules, the rules prevail.

| SB418       | TIC                 | TAC                         | Subject   | PPO        |                     |
|-------------|---------------------|-----------------------------|---|------------|---------------------|
|             |                     |                             |   | Contracted | Non-contracted      |
| Sec. 3A (b) | 3.70-3C, Sec. 3A(b) | §21.2806 (a)(b)             | 95-day filing deadline  | X          | X                   |
| Sec. 3A (b) | 3.70-3C, Sec. 3A(b) | §21.2806(e)                 | duplicate claim   | X          | X                   |
| Sec. 3A(c)  | 3.70-3C, Sec. 3A(c) | §21.2806(c)                 | methods of filing   | X          | X                   |
| Sec. 3A(d)  | 3.70-3C, Sec. 3A(d) | §21.2816                    | date of receipt   | X          | X                   |
| Sec. 3A(e)  | 3.70-3C Sec. 3A(e)  | §21.2802(28) (A) (B)        | payment deadlines   | X          | *ER & referral only |
| Sec. 3A(f)  | 3.70-3C, Sec. 3A(e) | §21.2802(28)(C)             | pharmacy deadlines  | X          | X                   |
| Sec. 3A(g)  | 3.70-3C, Sec. 3A(g) | §21.2809                    | audit   | X          |                     |
| Sec. 3A(j)  | 3.70-3C, Sec. 3A(j) | §21.2804                    | additional information for claims payment                                 | X          | *ER & referral only |
| Sec. 3A(k)  | 3.70-3C, Sec. 3A(k) | §21.2805                    | info from other source  | X          | *ER & referral only |
| Sec 3A(n)   | 3.70-3A(n)          | n/a                         | attorney's fees & court costs   | X          |                     |
| Sec. 3A(o)  | 3.70-3C, Sec. 3A(o) | n/a                         | copies of utilization review and claim policies and procedures            | X          |                     |
| Sec. 3C(a)  | 3.70-3C, Sec. 3C(a) | §21.2803(b)(1)              | elements of clean claim-physician/noninstitutional provider - paper claim | X          | X                   |
| Sec. 3C(b)  | 3.70-3C, Sec. 3C(b) | §21.2803(b)(2)              | elements of clean claim - institutional provider - paper claim            | X          | X                   |
| Sec. 3C(a)  | 3.70-3C(a)          | §21.2803(a) (2) & (d) & (e) | elements of clean claim - electronic claim                                | X          | X                   |
| Sec. 3C(e)  | 3.70-3C, Sec. 3C(e) | n/a                         | contract for fewer elements for an electronic transaction                 | X          |                     |
| Sec. 3C(f)  | 3.70-3C, Sec. 3C(f) | §21.2803(g)                 | additional data elements in a clean claim                                 | X          | X                   |
| Sec. 3D(a)  | 3.70-3C, Sec. 3D    | §21.2818                    | recovery of overpayment   | X          | X                   |
| Sec. 3D(b)  | 3.70-3C, Sec. 3D    | §21.2818                    | appeal of recovery of overpayment   | X          | X                   |
| Sec. 3E(b)  | 3.70-3C, Sec. 3E    | §19.1724                    | verification  | X          | *ER & referral only |
| Sec. 3F     | 3.70-3C, Sec. 3F    | §21.2803(c)                 | COB   | X          | X                   |
| Sec. 3G     | 3.70-3C, Sec. 3G    | §19.1723                    | preauthorization  | X          |                     |

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|            |                     |                   |   | Contracted | Non-contracted |
| Sec. 3H    | 3.70-3C, Sec. 3H    | §3.3703(a)(20)(A) | availability of coding guidelines and fee schedules | X          |                |
| Sec. 3H(c) | 3.70-3C, Sec. 3(c)  | §3.3703(a)(20)    | bundling/unbundling software name                   | X          |                |
| Sec. 3I    | 3.70-3C, Sec. 3I    | §21.2815          | penalties for late payment                          | X          |                |
| Sec. 3I    | 3.70-3C, Sec. 3I    | §21.2815          | penalties for underpayment                          | X          |                |
| Sec. 3I(h) | 3.70-3C, Sec. 3I(h) | §21.2815(e)       | exception to penalties                              | X          |                |

\*identified sections apply to non-contracted or non-preferred providers only if they are performing emergency services or services pursuant to an authorized referral due to network inadequacy