

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 1092

Short Title: Health Benefit Plans/Discrimination Prohibited. (Public)

Sponsors: Representatives Rayfield; (By Request), Culp, Hiatt, and G. Wilson.

Referred to: Insurance.

April 11, 2001

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT HEALTH BENEFIT PLANS FROM DISCRIMINATING WITH RESPECT TO PARTICIPATION, REIMBURSEMENT, OR INDEMNIFICATION AS TO ANY HEALTH CARE PROVIDER ACTING WITHIN THE SCOPE OF THE PROVIDER'S LICENSE OR CERTIFICATION UNDER APPLICABLE STATE LAW, SOLELY ON THE BASIS OF THE LICENSE OR CERTIFICATION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 3 of Chapter 58 of the General Statutes is amended by adding the following new section to read:

"§ 58-3-205. Discrimination based solely on licensure or certification prohibited.

(a) Definitions. – As used in this section, the term:

(1) 'Health benefit plan' has the same meaning as in G.S. 58-3-167.

(2) 'Insurer' has the same meaning as in G.S. 58-3-167.

(b) Scope. – The requirements of this section are in addition to others applicable under this Chapter. If any of the provisions of this section are in conflict with other provisions of this Chapter, this section controls to the extent of the conflict.

(c) Discrimination Prohibited. – A health benefit plan shall not discriminate with respect to participation, reimbursement, or indemnification as to any provider acting within the scope of the provider's license or certification under applicable State law, solely on the basis of the provider's license or certification. This subsection shall not be construed to prohibit a health benefit plan from:

(1) Granting participation to health care providers only to the extent necessary to meet the needs of a health benefit plan's enrollees;

(2) Using different reimbursement amounts for different specialties; or

(3) Establishing measures designed to maintain quality and control costs."

1 **SECTION 2.** This act is effective when it becomes law and applies to health
2 benefit plans delivered, issued for delivery, renewed, extended, or modified on or after
3 October 1, 2001.