

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

H

2

**HOUSE BILL 791
Corrected Copy 5/7/15**

Short Title: Primary Care Recoupment/Hardship Extension. (Public)

Sponsors: Representatives Farmer-Butterfield, Richardson, and Gill (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Health, if favorable, Appropriations.

April 15, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW AN EXTENDED PERIOD OF TIME FOR PROVIDERS TO REPAY
3 MEDICAID OVERPAYMENTS RELATED TO THE RECENT RATE REDUCTION
4 FOR SERVICES RENDERED BY PRIMARY CARE PHYSICIANS WHEN
5 IMMEDIATE RECOUPMENT WOULD CAUSE A HARDSHIP TO THE PROVIDER.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** This act applies only to overpayments made by the Department of
8 Health and Human Services (Department) to Medicaid providers as a result of the Department's
9 delayed implementation of the rate reduction required by Section 12H.18(b) of S.L. 2013-360,
10 for services rendered by primary care physicians on or after January 1, 2015.

11 **SECTION 2.** The Department shall allow providers an extended period of up to 12
12 months for the repayment of the overpayments described in Section 1 of this act if the
13 immediate recoupment of the overpayment would cause a hardship to the provider. In order to
14 allow providers the opportunity to seek a hardship extension, the Department shall not begin
15 automated recoupment of the overpayments described in Section 1 of this act prior to June 1,
16 2015. The Department shall set a deadline prior to June 1, 2015, for providers to request a
17 hardship extension. The Department shall provide notice to all providers who are subject to the
18 recoupment of such an overpayment notifying them of the amount of the overpayment due to
19 the Department and the manner and deadline for requesting a hardship extension.

20 **SECTION 3.** The Department shall not charge interest or a late-payment penalty
21 pursuant to G.S. 147-86.23 on overpayments subject to a hardship extension as long as the
22 provider makes timely payments in accordance with the repayment plan.

23 **SECTION 4.** This act is effective when it becomes law.



* H 7 9 1 - V - 2 *