

Bill No. CS for CS for SB 362, 1st Eng.

Amendment No. Barcode 732110

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Campbell moved the following amendment:

Senate Amendment (with title amendment)

On page 30, line 12, delete that line

and insert:

(14) A permissive error ratio of 5 percent is established for organizations claims payment violations of s. 641.3155(3)(a), (b), (c), and (e) and s. (4)(a), (b), (c), and (e). If the error ratio of a particular organization does not exceed the permissible error ratio of 5 percent for an audit period, a fine may not be assessed for the noted claims violations for the audit period. The error ratio shall be determined by dividing the number of claims with violations found on a statistically valid sample of claims for the audit period divided by the total number of claims in the sample. If the error ratio exceeds the permissible error ratio of 5 percent, a fine may be assessed according to s. 624.4211 for the claims payment violations that exceed the error ratio. Notwithstanding the provisions of this section, the department may fine a health maintenance organization for claims payment

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1 violations of s. 641.3155(3)(e) and (4)(e) which create an
2 uncontestable obligation to pay the claim. The department may
3 not fine organizations for violations that the department
4 determines were due to circumstances beyond the organization's
5 control.

6 (15) The provisions of this section may not be waived,
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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 2, line 29, after the semicolon,
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13 insert:

14 establishing a permissive error ratio and
15 providing guidelines for applying the ratio;
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