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Chapter No. 532
12/HR40/R1583SG
EW / KB

HOUSE BILL NO. 1297

Originated in House  Clerk

HOUSE BILL NO. 1297

AN ACT TO AMEND SECTION 83-41-219, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME LIMITATIONS FOR AUDITS OF CLAIMS MADE BY THE DIVISION OF MEDICAID; TO PROVIDE THAT THE RECIPROCAL TIME LIMITATIONS FOR AUDITS OF CLAIMS DO NOT APPLY TO AUDITS THAT WERE OPENED BEFORE JULY 1, 2012; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 83-41-219, Mississippi Code of 1972, is amended as follows:

83-41-219. (1) If any health insurance issuer or other health insurance benefit payer limits the time in which a health care provider or other person is required to submit a claim for payment, the health insurance issuer or other health insurance benefit payer shall have the same time limit following payment of the claim to perform any review or audit for reconsidering the validity of the claim and requesting reimbursement for payment of an invalid claim or overpayment of a claim.

(2) If any health insurance issuer or other health insurance benefit payer does not limit the time in which a health care provider or other person is required to submit a claim for payment, the health insurance issuer or other health insurance benefit payer may not request reimbursement or offset another claim payment for reimbursement of an invalid claim or overpayment of a claim more than twelve (12) months after the payment of an invalid or overpaid claim.

* * *

(3) Nothing in this section shall apply to:

(a) Audits that were opened before July 1, 2012;

(b) Audits of * * * pharmacies as provided in Section 73-21-175 et seq.;

(c) * * * Claims submitted by providers for reimbursement under the Mississippi Medicaid Program, except that all audits of claims and payments made by or on behalf of the Division of Medicaid are limited to a maximum of five (5) years after final filing of the claim; and

(d) Claims submitted in the context of misrepresentation, omission, concealment, or fraud by the health care provider or other person.

SECTION 2. This act shall take effect and be in force from and after July 1, 2012.

PASSED BY THE HOUSE OF REPRESENTATIVES
May 1, 2012



SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
May 1, 2012



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

5-22-12

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