

By Mr. Chmura of Springfield, petition of Rudy Chmura and another for legislation to establish certain rights of participating providers relative to medical service corporations. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT ESTABLISHING CERTAIN RIGHTS OF PARTICIPATING PROVIDERS WITH RESPECT TO MEDICAL SERVICE CORPORATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 176B of the General Laws is hereby amended by adding
2 after section 1 the following: —

3 1A. *Rights of participating providers.* A participating physi-
4 cian or chiropractor shall have the following rights in his dealings
5 with a medical service corporation:

6 (a) The right to have claims for services rendered processed and
7 paid within sixty (60) days of the date of submission by the partici-
8 pating physician or chiropractor;

9 (b) The right to have any utilization review determination made
10 by the corporation reviewed by an independent peer review panel
11 of competent physicians or chiropractors;

12 (c) The right not to have policies or procedures of the corpora-
13 tion enforced against him or her unless such policies or procedures
14 have been formally adopted by its board of directors and previous-
15 ly disseminated in writing to all participating physicians and chiro-
16 practors;

17 (d) The right to a copy of all currently effective policies, proce-
18 dures, rules, regulations, fee schedules, specimen subscriber certifi-
19 cates, covered service lists and procedure codes and any other

20 document setting forth any obligation or restriction upon such
21 participating physician or chiropractor in his relationship with the
22 corporation or any subscriber or covered dependent thereof;

23 (e) The right to inspect any listing or profile of usual charges for
24 covered services maintained by the corporation with respect to
25 such participating physician or chiropractor;

26 (f) The right to a copy of all customary charges for covered
27 services maintained by the corporation with respect to similarly
28 situated physicians or chiropractors;

29 (g) The right to an annual determination and updating of usual
30 and customary charges for covered services by such participating
31 physician or chiropractor, in accordance with reasonable criteria
32 developed and annually revised by such medical service corpora-
33 tion on the basis of information supplied by participating physi-
34 cians and chiropractors as to their usual charges for such services;

35 (h) The right to request and receive a written explanation of (1)
36 the reasons used by the corporation to decline payment of a claim
37 for services rendered by such participating physician or chiroprac-
38 tor, and (2) the method by which the corporation determined the
39 amount which it would allow on a claim for services rendered by
40 such participating physician or chiropractor; and

41 (i) The right to be treated on an equal basis with other physi-
42 cians or chiropractors of similar qualifications and experience in
43 the establishment of usual and customary charge profiles.