

**State of New Hampshire Insurance Department
56 Old Suncook Road
Concord, New Hampshire 03301**

**Paula T. Rogers
Commissioner**

**BULLETIN
Docket No: INS. 01-020-AB**

TO: All Licensed Insurance Companies Authorized to Write Accident and Health Insurance

FROM: Paula T. Rogers, Commissioner

DATE: July 10, 2001

RE: RSA 420-J:8-a Claims Payment Time Limits

The purpose of this Bulletin is to notify all licensees who may be writing managed care health insurance plans of the above referenced law, which became effective January 1, 2001. Since the effective date of this legislation, the Department has received a number of telephone inquiries and correspondences which would suggest that there has been less than full compliance.

This law sets time limits for claim payments to providers. The law exempts capitation and other forms of periodic payments. This exemption would not apply to claims based requests for payments, e.g. per diem reimbursement rates and global fees, as these requests are based on an incurred service.

Health carriers must reimburse providers no later than 45 calendar days of the receipt of a clean written claim and no later than 15 calendar days of the receipt of a clean electronic claim. Clean claims are those submitted on the health carrier's standard claim form using the most current published procedural codes and with all the required fields correctly completed in accordance with the carrier's published requirements.

If the health carrier does not intend to pay the claim, e.g. is either denying or pending the claim, then the health carrier must notify the provider of the same no later than 15 calendar days from the date the claim was received. The required notice shall include the carrier's reason for not paying the claim promptly. If the carrier's basis for not paying the claim promptly involves missing or incomplete information then the carrier shall specify, in the required notice, precisely what additional information would be required to process the claim.

Claims not paid within the specified time-limits shall be deemed overdue. Overdue claims may accrue with interest. Further, the Department will be monitoring allegations of late claim payments, and, if necessary, conduct examinations for the purpose of determining whether carriers have established a pattern of overdue payments. The Department will assess carriers with such patterns an administrative fine.

Any questions about this prompt payment law shall be submitted in writing to the attention of the Insurance Commissioner. The actual statute is available through the state's web site: www.state.nh.us.