



# News From MSSNY

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**January 26, 2010**

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## ***MSSNY PRAISES ASSEMBLYMAN BING FOR INTRODUCING MANAGED CARE REFORM LEGISLATION***

Medical Society of the State of New York President Dr. David T. Hannan, MD, today applauded Manhattan Assemblyman Jonathan Bing for introducing a series of legislative initiatives to assist patients, physicians and hospitals in their dealings with health insurance companies. The package of bills advanced by Assemblyman Bing would reduce some of the obstacles to care experienced by patients and obstacles to fair and timely reimbursement experienced by health care providers. Many of the concepts contained in the legislation were previously advanced by former Assemblymember and current White Plains Mayor Adam Bradley, who played a leading role in seeking reform of abusive health insurer practices.

“Patient access to care is being increasingly threatened by the rising strain facing physician practices as a result of rapidly increasing medical liability insurance costs and ongoing efforts by health insurance companies to limit payment through a variety of tactics.” stated Dr. Hannan. “These tactics include the imposition of burdensome paperwork requirements and long phone wait times when authorization is needed to provide patient care; reduced, delayed or denied reimbursement for patient care based upon byzantine payment rules that often differ from plan to plan; and exorbitant refund demands for claims previously paid that are based upon questionable audit and extrapolation techniques.”

Among the bills introduced by Assemblyman Bing that seek to address these problems include:

- **A.9718** – Would better assure that claims submitted by health care providers for patient care rendered are paid more timely and limits the ability of health plans to make outrageous refund demands to providers;
- **A.9719** – Would require health insurance companies to provide health care providers with written confirmation when they pre-authorize patient care;
- **A.9720** – Would impose penalties and legal fees on health insurance companies that make specious allegations of fraud or abusive billing to evade statutory limitations on overpayment recovery requests;
- **A.9739** – Would require payment of electronic claims within 15 days of submission and paper claims within 30 days of submission; and would significantly increase “Prompt Pay” law fines;

Most physicians have little ability to challenge these abuses because of the companies’ overwhelming market dominance. Six companies in New York insure nearly 80% of the managed care market. Therefore, in addition to the bills noted above, MSSNY is also seeking the enactment of legislation (A.4301-A, Canestrari, Gottfried, et al./S.5204, Breslin) that would grant independently practicing physicians the limited ability to collectively negotiate contract terms with health plans under close state supervision.

“The bills advanced by Assemblyman Bing would restore some balance between the patient and their treating providers on the one hand and large health insurance companies on the other. We urge that these measures be acted on by the full Legislature and signed into law by the Governor.”

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