

HB 706-FN - AS INTRODUCED

2025 SESSION

25-0574

05/08

HOUSE BILL **706-FN**

AN ACT relative to prohibiting insurance companies from conducting an audit of providers services after services have been delivered but before payment has been made to such provider.

SPONSORS: Rep. Gregg, Hills. 7; Rep. Grossman, Rock. 11

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill provides that no insurer may conduct an audit of provider services after services have been delivered but before payment has been made to such provider.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to prohibiting insurance companies from conducting an audit of providers services after services have been delivered but before payment has been made to such provider.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Accident and Health Insurance; Retroactive Denials Prohibited; Audit of
2 Providers Services. Amend RSA 415:6-i by inserting after paragraph I the following new paragraph:

3 I-a. No insurer may conduct an audit of provider services after services have been delivered
4 but before payment has been made to such provider.

5 (a) In the event that an insurance company performs an audit in violation of this
6 paragraph, the insurer shall:

7 (1) Promptly remit the amount charged by the provider for such services to the
8 provider;

9 (2) Hold the patient harmless for any co-pay or co-insurance obligations with respect
10 to such services; and

11 (3) Remit interest at a rate of 15 percent per annum from the date of service to the
12 date of payment under subparagraph (1) and reimburse the provider for all costs incurred in
13 enforcing this paragraph.

14 (b) An insurer found to have violated this paragraph waives any rights to retrospectively
15 review the services for which the impermissible audit was conducted.

16 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 706-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to prohibiting insurance companies from conducting an audit of providers services after services have been delivered but before payment has been made to such provider.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Revenue Fund(s)</i>	General Fund			
Expenditures*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill amends to RSA 416:6-i to prevent insurance carriers from auditing a provider's services after they have been rendered but before payment has been issued for plans sold in the individual market. Under this amendment, if an insurer violates this provision, they forfeit their right to retrospectively review the claims. Insurers would be obligated to pay any improperly audited claims, including interest on delayed payments. Additionally, carriers must reimburse providers for all expenses incurred in enforcing this provision. The insured would not be held responsible for any applicable cost-sharing related to these services.

The Insurance Department states health carriers may increase premiums to compensate for loss of revenue due to additional claims payments and punitive costs, leading to higher Insurance Premium Tax revenue. The overall financial impact on local and county governments that purchase health insurance is indeterminable.

It is assumed the fiscal impact of this bill will occur after FY 2025.

AGENCIES CONTACTED:

Insurance Department