

**BANKING AND INSURANCE
DIVISION OF INSURANCE
LIFE AND HEALTH DIVISION**

Notice of Action on Petition for Rulemaking

**Prompt Payment of Claims – Denied and Disputed Claims
N.J.A.C. 11:22-1.6**

Petitioner: New Jersey Association of Health Plans (NJAHF)

Take notice that on June 21, 2007, the above petitioner filed a petition with the Department of Banking and Insurance (Department) requesting that the Department amend its rules governing the prompt payment of health claims to clarify that if a carrier fails to provide notice pursuant to N.J.A.C. 11:22-1.6(a) of its decision to deny or dispute a claim that the claimant can timely assert that the carrier has waived its right to require the claimant to provide additional information and/or documentation concerning the claim, and that the carrier has no obligation to pay a claim, or any part of a claim, that is not covered by the underlying policy. A notice acknowledging receipt of the petition and summarizing its content was published in the August 6, 2007 New Jersey Register at 39 N.J.R. 3419(a).

Take further notice that this petition was considered by the Department, and the Department has determined to refer this matter for further deliberation within 90 days. A Department proposal appearing in the July 2, 2007 issue of the New Jersey Register (39 N.J.R. 2455(a)) implements certain provisions of the Health Claims Authorization, Processing and Payment Act (HCAPPA), P.L. 2005, c. 352, enacted on January 12, 2006 and effective July 11, 2006. The Department's proposal would amend the Prompt Payment of Claims rules at N.J.A.C. 11:22-1, including N.J.A.C. 11:22-1.6, which is the subject of petitioner's petition. The public comment period for the Department's proposal ends on August 31, 2007. Accordingly, the Department will consider petitioner's request to amend N.J.A.C. 11:22-1.6 in light of the more

extensive changes to N.J.A.C. 11:22-1 previously proposed by the Department and any comments pertinent to N.J.A.C. 11:22-1.6 it receives on that proposal.

A copy of this public notice has been mailed to the petitioner.

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