

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**S. B. No. 55**

**Senator Tavares**

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**A B I L L**

To enact sections 1751.76, 3923.71, and 3923.74 of 1  
the Revised Code to prohibit health insurers from 2  
denying payment for a service during or after the 3  
performance of the service if the insurer provided 4  
prior written authorization for the service. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1751.76, 3923.71, and 3923.74 of the 6  
Revised Code be enacted to read as follows: 7

**Sec. 1751.76.** No health insuring corporation that agrees in 8  
writing to provide coverage for the performance of a service prior 9  
to the performance of the service shall deny payment for the 10  
service during or after the performance of the service unless the 11  
health insuring corporation's written agreement to provide 12  
coverage for the service was based upon inaccurate information 13  
provided to the health insuring corporation by the enrollee or 14  
health care provider. 15

**Sec. 3923.71.** No sickness and accident insurer that agrees in 16  
writing to provide coverage for the performance of a service prior 17  
to the performance of the service shall deny payment for the 18  
service during or after the performance of the service unless the 19

insurer's written agreement to provide coverage for the service 20  
was based upon inaccurate information provided to the insurer by 21  
the insured or the health care provider. 22

Sec. 3923.74. No public employee benefit plan that agrees in 23  
writing to provide coverage for the performance of a service prior 24  
to the performance of the service shall deny payment for the 25  
service during or after the performance of the service unless the 26  
public employee benefit plan's written agreement to provide 27  
coverage for the service was based upon inaccurate information 28  
provided to the public employee benefit plan by the plan member, 29  
covered dependent, or health care provider. 30