

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 64*

Short Title: Managed Care Ombudsman.

(Public)

Sponsors: Senators Wellons, Harris, and Dannelly.

Referred to: Insurance and Consumer Protection.

February 6, 2001

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A MANAGED CARE OMBUDSMAN PROGRAM
WITHIN THE DEPARTMENT OF INSURANCE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 2 of Chapter 58 of the General Statutes is amended by adding the following new section to read:

"§ 58-2-27. Managed Care Ombudsman in the Department of Insurance.

(a) The Commissioner shall appoint a Managed Care Ombudsman and hire other staff necessary and appropriate to carry out the duties and responsibilities set out in subsection (b) of this section. The Managed Care Ombudsman shall have expertise and experience in both health care and advocacy.

(b) The duties and responsibilities of the Managed Care Ombudsman are as follows:

- (1) Develop and distribute educational and informational materials for consumers explaining their rights and responsibilities as HMO enrollees.
- (2) Assist HMO enrollees in filing appeals and grievances pertaining to insurance matters, and to assist HMO enrollees in utilizing internal review procedures remedies on behalf of HMO enrollees.
- (3) Publicize the Office of the Managed Care Ombudsman.
- (4) Answer inquiries posed by HMO enrollees.
- (5) Compile data on the activities of the Office, and evaluate such data to make recommendations as to the needed activities of the Office.
- (6) Refer those complaints that appear to be of a regulatory nature to regulatory staff within the Department of Insurance.

(c) The Commissioner shall annually report the activities of the Managed Care Ombudsman, including the types of appeals, grievances, and complaints received and the outcome of these cases. The report shall be submitted to the General Assembly.

1 upon its convening, and shall make recommendations as to efforts that could be
2 implemented to assist HMO consumers."

3 **SECTION 2.** There is appropriated from the General Fund the sum of two
4 hundred fifty thousand (\$250,000) for the 2001-2002 fiscal year and five hundred
5 thousand dollars (\$500,000) for the 2002-2003 fiscal year for the Office of the Managed
6 Care Ombudsman established under this act.

7 **SECTION 3.** This act becomes effective January 1, 2002.