

SB 336 – AS AMENDED BY THE SENATE

03/21/12 1119s

2012 SESSION

12-2821
01/05

SENATE BILL **336**

AN ACT relative to medical payments coverage.

SPONSORS: Sen. De Blois, Dist 18; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Gallus, Dist 1; Sen. Lambert, Dist 13; Sen. Luther, Dist 12; Sen. Sanborn, Dist 7; Rep. Warden, Hills 7; Rep. Manuse, Rock 5; Rep. Reagan, Rock 1

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill clarifies payments under medical coverage under motor vehicle policies.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to medical payments coverage.

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

1 1 Medical Payments Coverage. Amend RSA 264:16, III-V to read as follows:

2 III. Medical payments coverage shall not be assignable to any health care provider ***and no***
3 ***health care provider shall submit, on behalf of an insured, a claim to an auto insurer for***
4 ***payment under the medical payments provision in a motor vehicle liability policy subject to***
5 ***this section.***

6 IV. ***An auto insurer shall make payments for medical costs under medical payments***
7 ***coverage as follows:***

8 (a) ***Upon submission by the policyholder of a claim for an incurred but unpaid***
9 ***medical cost without further instruction, payment of the claim shall be made in the name***
10 ***of the policyholder and the provider and sent to the policyholder.***

11 (b) ***Upon submission by a policyholder of a claim for an incurred but unpaid***
12 ***medical cost with express instruction from the policyholder directing payment be made to***
13 ***the provider, payment shall be made only in the name of the provider and sent directly to***
14 ***the provider.***

15 (c) ***Upon submission by the policyholder of a claim for a paid medical cost,***
16 ***payment shall be made in the name of the policyholder and sent to the policyholder.***

17 [~~IV-~~] V. The insured shall have the exclusive right to submit a claim for medical expenses
18 under either medical payments coverage or a health insurance policy or both, as the insured elects;
19 provided, however, an insured shall not be entitled to duplicate payment from medical payments
20 coverage and a health insurance policy for the same medical expense.

21 [~~V-~~] VI. This section shall not apply to any commercial policy insuring more than 4
22 automobiles, nor to any commercial policy covering a garage, automobile sales agency, repair shop,
23 service station, public parking place operation hazards, or trucking operation.

24 2 Effective Date. This act shall take effect 60 days after its passage.