



General Assembly

January Session, 2023

Raised Bill No. 6832

LCO No. 4227



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT CONCERNING ELECTRONIC NOTIFICATIONS FOR PRIOR AUTHORIZATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-591c of the general statutes is amended by
2 adding subsections (e) and (f) as follows (*Effective October 1, 2023*):

3 (NEW) (e) (1) Not later than January 1, 2024, the commissioner shall
4 develop and establish:

5 (A) Technical standards for hospitals and health care professionals to
6 electronically file prior authorization requests, and other requests for
7 prospective or concurrent utilization reviews, with health carriers; and

8 (B) Standardized clinical review criteria for common services,
9 treatments and procedures provided in hospitals in inpatient and
10 outpatient settings.

11 (2) The commissioner shall develop such technical standards
12 required under subparagraph (A) of subdivision (1) of this subsection
13 in consultation with appropriate standard-setting organizations,

14 hospitals, health care professionals, health carriers and health
15 information technology software vendors. Such technical standards
16 shall include, but need not be limited to, standards to ensure that
17 electronic prior authorization requests, and other electronic requests for
18 prospective or concurrent utilization reviews, filed by hospitals and
19 health care professionals with health carriers, support attachments that
20 contain clinical information and can be integrated into existing
21 electronic health record systems.

22 (3) The commissioner shall develop such standardized clinical review
23 criteria required under subparagraph (B) of subdivision (1) of this
24 subsection in consultation with hospitals, health care professionals and
25 health carriers.

26 (NEW) (f) (1) Not later than March 1, 2024, each health carrier shall
27 establish an electronic program to provide for the secure electronic:

28 (A) (i) Filing of prior authorization requests, and other requests for
29 prospective or concurrent utilization reviews, by hospitals and health
30 care professionals with such health carrier, and (ii) submission of
31 available clinical information in support of such requests; and

32 (B) Transmission of such health carrier's responses to such requests
33 described in subparagraph (A) of this subdivision.

34 (2) Each electronic program established pursuant to subdivision (1)
35 of this subsection shall comply with all standards developed and
36 established by the commissioner pursuant to subsection (e) of this
37 section.

38 (3) No facsimile, electronic form or proprietary health carrier portal
39 that fails to comply with the technical standards developed and
40 established by the commissioner pursuant to subsection (e) of this
41 section shall be deemed to satisfy the provisions of this subsection.

42 (4) Each health carrier shall provide hospitals and health care
43 professionals with access to such health carrier's criteria for making

44 determinations on prior authorization requests and other requests for
45 prospective or concurrent utilization reviews, including, but not limited
46 to, an itemization of any documentation such health carrier requires for
47 such requests.

48 (5) Notwithstanding any provision of this subsection, no health
49 carrier shall implement any technical or clinical standards pursuant to
50 this subsection unless such health carrier has consulted with hospitals
51 to facilitate seamless transmission and processing of requests for prior
52 authorization or other requests for prospective or concurrent utilization
53 reviews. Such consultations shall include, but need not be limited to,
54 consultations concerning the ability of hospitals and health care
55 professionals to submit clinical records and securely access electronic
56 health information.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	38a-591c(e) and (f)

INS *Joint Favorable*

APP *Joint Favorable*