



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2832

Introduced 2/19/2021, by Rep. Jackie Haas

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-43 new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that in order to recover an overpayment by recoupment or offset of future payments, a managed care organization's post-payment audit of any claim submitted by a provider must be completed no later than 2 years after the claim's payment date. Provides that the 2-year time limit does not apply to claims that are (i) submitted fraudulently, (ii) known, or should have been known, by the provider to be a pattern of inappropriate billing according to standard provider billing practices, or (iii) subject to any federal law or regulation that permits post-payment audits beyond 2 years.

LRB102 13984 KTG 19336 b

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 5-43 as follows:

6 (305 ILCS 5/5-43 new)

7 Sec. 5-43. MCO post-payment audit; time period limitation.
8 Notwithstanding any provision of this Code to the contrary, in
9 order to recover an overpayment by recoupment or offset of
10 future payments, a managed care organization's post-payment
11 audit of any claim submitted by a provider must be completed no
12 later than 2 years after the claim's payment date. The 2-year
13 time limit does not apply to claims that are (i) submitted
14 fraudulently, (ii) known, or should have been known, by the
15 provider to be a pattern of inappropriate billing according to
16 standard provider billing practices, or (iii) subject to any
17 federal law or regulation that permits post-payment audits
18 beyond 2 years.