



Illinois Department of Insurance

PAT QUINN
Governor

MICHAEL T. McRAITH
Director

TO: ALL COMPANIES AUTHORIZED TO WRITE HEALTH INSURANCE IN ILLINOIS

FROM: DAVID GRANT 
ASSISTANT DEPUTY DIRECTOR
HEALTH INSURANCE PRODUCTS

DATE: JUNE 2, 2011

RE: COMPANY BULLETIN 2011-07
NONPARTICIPATING FACILITY-BASED PHYSICIANS AND PROVIDERS
DISPUTE-215ILCS 5/356z.3a

June 1, 2011, Public Act 096-1523 (Nonparticipating facility-based physicians and providers) is effective; allowing insurers, health plans and nonparticipating facility-based physicians or providers to initiate binding arbitration to determine payment for covered services. Under Section 356z.3a of the Illinois Insurance Code (215 ILCS 5/356z.3a), nonparticipating facility-based radiologists, anesthesiologists, pathologists, neonatologists and emergency department providers, as well as insurers and health plans, may request binding arbitration if attempts to negotiate reimbursement for covered services rendered fail. If a party initiates binding arbitration as provided for under this Section, the non-initiating party is required to participate. The ability to exercise the rights set forth within this Section applies to all policies or contracts issued, renewed or modified on or after June 1, 2011, the effective date of the Act.

Pursuant to Section 5/356z.3a, the Illinois Department of Insurance is required to publish a list of American Arbitration Association or American Health Lawyers Association trained arbitrators or approved entities that will provide binding arbitration services. In accordance with this Section, the Department has designated the American Arbitration Association and the American Health Lawyers Association as Approved Entities to provide binding arbitration. A party desiring to initiate arbitration of a disputed claim payment must submit its request through one of the following entities:

American Arbitration Association

Website: www.adr.org
Address: American Arbitration Association
Case Filing Services
1101 Laurel Oak Road, Suite 100
Voorhees, NJ 08043

Phone: 877-495-4185
Fax number: 877-304-8457
Email: casefiling@adr.org

American Health Lawyers Association

Website: www.healthlawyers.org
Address: American Health Lawyers Association
1620 Eye Street, NW, 6th Floor
Washington, DC 20006-4010

Phone: (202) 833-1100
Fax number: (202) 833-1105
Email: adr@healthlawyers.org

The entity selected by the initiating party shall serve as the Approved Entity that will provide binding arbitration services in connection with the specific matter. All requests must clearly identify that binding arbitration is being initiated pursuant to **Section 356z.3a - Nonparticipating facility-based physician and provider disputes**, using the guidelines of the entity you have chosen. **Further, all such requests must be copied to the Illinois Department of Insurance.** The date of such request shall constitute notice to the Department and shall be used to determine the 45 day timeframe for the arbitrator to issue his or her written decision.

Correspondence which does not clearly identify the request for binding arbitration as being filed pursuant to Section 356z.3a - Nonparticipating facility-based physician and provider disputes and does not copy the Illinois Department of Insurance, will not qualify for relief or remedies afforded under the Act. All copies of requests for initiating binding arbitration must be electronically sent to the Department through the following address:

doi.arbitrationrequest@illinois.gov

Any questions concerning the impact or implementation of Public Act 096-1523 (Nonparticipating facility-based physicians and providers), may be directed to the **Office of Consumer Health Insurance** Toll Free at (877) 527-9431.