



October 3, 2018

*Via Federal Express and  
Email (public\_comments@azinsurance.gov)*

Mary E. Kosinski  
Arizona Department of Insurance  
100 N. 15<sup>th</sup> Ave., Suite 102  
Phoenix, AZ 85007-2624

**Re: Comment on Proposed Rules for Out-of-Network Claim Dispute Resolution**

Dear Ms. Kosinski:

I write on behalf of Zotec Partners, a health care billing company with several provider clients in Arizona, regarding the Arizona Department of Insurance's (the "Department's") proposed rules for the out-of-network claim dispute resolution process set forth at Arizona Revised Statutes §§ 20-3111 through 20-3119. We have reviewed the proposed rules in light of our experiences with similar provisions in other states, and present the following comments to the Department for consideration.

Arizona Revised Statute § 20-3117(C) provides that, "[i]f an enrollee contacts a health care provider, a provider's representative or a billing company regarding a dispute involving a surprise out-of-network bill, the health care provider, the provider's representative or the billing company shall provide written notice as prescribed in subsection A of this section to the enrollee of the dispute resolution process." Subsection A, in turn, provides that the Department, "in conjunction with the appropriate health care boards[,] shall prescribe the notice [o]utlining an enrollee's rights to dispute surprise out-of-network bills under this article." Ariz. Rev. Stat. § 20-3117(A).

We request that when the proposed rules are adopted and published as final regulations, the Department explicitly state that a health care provider, provider's representative, or billing company may fulfill the requirement to notify a patient of the dispute resolution process under Arizona Revised Statute § 20-3117(C) by directing the patient to the relevant section of the Department's website in its written and/or electronic communication with the patient. Permitting health care providers, their representatives, and billing companies to direct the patient to the Department's language at its source will ensure that patients receive the most up-to-date information regarding their rights under state law. It will also reduce the burden on health care providers, their representatives, and billing companies as they seek to provide the most accurate information possible.

Thank you for your time and consideration of our comment. If you have any questions, please do not hesitate to contact me at (317) 446-4570 or [misenberg@zotecpartners.com](mailto:misenberg@zotecpartners.com)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark A. Isenberg".

Mark A. Isenberg  
EVP of Healthcare Advocacy