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*Senate of Pennsylvania*

February 16, 2011

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TO: All Senators

FROM: Senator Kim Ward

SUBJECT: Co-Sponsorship of Legislation – MCARE amendments- **Memo #11**

I plan to introduce legislation to amend the Medical Care Availability and Reduction of Error Fund Act (MCARE) to amend Section 712(d) to clarify that fund year-end balances are to be applied to reduce the assessment for the next year.

In addition, the legislation will add a new subsection to Section 712, "Payment of the assessment" to provide that primary insurance carriers function as the MCARE Fund's billing and collection agent for MCARE assessments. Health care providers are required to pay their assessment to their primary insurance carrier. They do not have the option to pay MCARE directly. The new section would ensure that health care providers who have paid their MCARE assessment to their primary carrier are not denied MCARE coverage if the primary carrier fails to forward the assessment to MCARE in a timely fashion. Current MCARE policy has unfairly penalized health care providers in such situations.

If you would like to co-sponsor this legislation, please contact Tiffany Price in my office at 717-787-6063 or by email at [tprice@pasen.gov](mailto:tprice@pasen.gov).

KLW/vjw