



Arnold Schwarzenegger, Governor
State of California
Business, Transportation and Housing Agency
Department of Managed Health Care
Office of Legal Services

980 Ninth Street, Suite 500
Sacramento, CA 95814-2725
916-322-6727 – Phone
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www.dmhc.ca.gov

ACTION: Second Amended Notice of Rulemaking Action
Title 28, California Code of Regulations

SUBJECT: Scheduling Public Hearing for Plan and Provider Claims Settlement: Criteria for Determining Reasonable and Customary Value of Health Care Services; Expedited Payment Pending Claims Dispute Resolution; Definition of Unfair Billing Patterns; Independent Dispute Resolution Process; Revising Sections 1300.71 and 1300.71.38, and Adopting Section 1300.71.39 in Title 28, California Code of Regulations; Control No. 2007-1253.

PUBLIC PROCEEDINGS: Pursuant to Government Code section 11346.8(a), the Department of Managed Health Care (Department) has scheduled a public hearing regarding the above-referenced proposed rulemaking action.

PUBLIC HEARING:

October 24, 2007
10:00 a.m.
Burbank Airport Marriott
2500 Hollywood Way
Burbank, CA 91505
Facility Contact: Arthur Aggabao, Sales Manager (310) 337-8054

The purpose of this public hearing is to solicit and receive public comments regarding the above-referenced proposed rulemaking action. Any interested person, or his or her duly authorized representative, may attend the hearing and submit written or oral comments relevant to the proposed rulemaking action. Oral comments received during the public hearing should be limited to the subject of the proposed rulemaking action and no more than five (5) minutes in length. The Department's written response to all comments submitted during the public hearing will be made available on a date following the hearing.

The public hearing will adjourn after all verbal comments have been heard, or at 5:00 p.m., whichever occurs sooner. The agenda for the public hearing is available on the Department's website under the "Upcoming Meetings" section at www.dmhc.ca.gov.

Questions or comments regarding the regulation or this public hearing may be directed to Rick Martin, Deputy Director of the Financial Solvency Standards Board, 916-322-1583, rmartin@dmhc.ca.gov.

WRITTEN COMMENT PERIOD: The scheduling of this public hearing does not change the written comment period for this rulemaking action. Comments must be received by the

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Department of Managed Health Care, Office of Legal Services, by 5 p.m. on Thursday, November 15, 2007, which is hereby designated as the close of the written comment period. Any interested person, or his or her authorized representative, may submit written statements, arguments or contentions (hereafter referred to as comments) relevant to the proposed regulatory action by the Department.

Comments may be transmitted by regular mail, FAX, email, or via the Department's website:

Website: <http://wpsو.dmhc.ca.gov/regulations/>
Email: regulations@dmhc.ca.gov
Mail: Office of Legal Services
Department of Managed Health Care
Attn: Regulations Coordinator
980 9th Street, Suite 500
Sacramento, CA 95814
Fax: (916) 322-3968

Please note -- if comments are sent via the website, email or fax, there is no need to send the same comments by mail delivery. All comments should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes in the regulation text on which additional comments may be solicited. Additional information regarding this proposed rulemaking action is provided in the respective Notice of Rulemaking Action, which is posted on the Department's website at <http://wpsو.dmhc.ca.gov/regulations/#1>.

Inquiries concerning this proposed rulemaking action may be directed to:

Rick Martin
Deputy Director, Financial Solvency Standards Board
Office of the Director
Department of Managed Health Care
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Sacramento, CA 95814
(916) 322-1583
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CONTACTS: In your comments or inquiries, please use the Department's regulation title and control number, **Plan and Provider Claims Settlement; Control #2007-1253**.

REASONABLE ACCOMMODATIONS:

Reasonable accommodations for persons with disabilities are available upon request. Please submit your request for reasonable accommodations at least seven (7) days in advance. The Department will attempt to accommodate late requests to the extent possible. You may submit your request via email to Emilie Alvarez, Regulations Coordinator, at ealvarez@dmhc.ca.gov. You may contact California Relay Service for the deaf or hearing impaired: 1-800-735-2929 (TTY) or 1-800-735-2922 (Voice).