

STATE EXTERNAL REVIEW LAWS

The following describes state-level external review laws, which allow a health plan enrollee to appeal a coverage denial to an outside medical expert if dissatisfied with the plan's internal appeals process. The basis for review designated whether a state allows an external review to proceed for claims of medical necessity, investigational procedures, or an appeal of any denial. The status of decision designates whether the external review decision is binding or an advisory decision.

State	Statute	Basis for Review			Status of Decision	
		Medical Necessity	Investigational Appeal	Appeal of any Denial	Binding	Advisory
Alabama	Does not have an external review law.					
Alaska	§ 21.07.050	X	X		X	
Arkansas	Regulation 76 (2002)	X	X		X	
Arizona	§ 20-2537		X		X	
California	§§ 1374.30-1374.36	X	X		X	
Colorado	§ 10-16-133.5	X			X	
Connecticut	§ 38a-478n	X	X		X	
Delaware	§ 9119	X			X	
Florida				X		X
Georgia	§§ 33-20a-1-10, 30-41	X	X		X	
Hawaii	§ 432E-6	X	X		X	
Idaho	Does not have an external review law.					
Illinois	§ 134-45	X	X		X	
Indiana	§ 27-8-29-13a	X	X		X	
Iowa	§ 514J.1-14	X			X	
Kansas	§ 40-22a13-16	X	X			X
Kentucky	§ 304.17A-621, 623, 625, 627	X	X		X	
Louisiana	§§ 3081-3087	X			X	
Maine	§ 4312			X	X	
Maryland	§15-10A-03	X			X	
Massachusetts	§ 14-141-27	X			X	
Michigan	§§ 550.1911 and 550.1913			X	X	
Minnesota	§ 62Q.73			X	X	
Mississippi	Does not have an external review law.					
Missouri	§ 376-1365	X	X		X	
Montana	§ 33-37-102	X			X	
Nebraska	Does not have an external review law.					
Nevada	Does not have an external review law.					
New Hampshire	§ 420-J:5-b	X	X		X	
New Jersey	NJSA 26:2S	X	X		X	
New Mexico	§ 13.10.17.24			X		X
New York	C. 49, Title II, §§ 4910-4915	X	X		X	
North Carolina	SB 199			X	X	

State	Statute	Basis for Review			Status of Decision	
		Medical Necessity	Investigational Appeal	Appeal of any Denial	Binding	Advisory
North Dakota	Does not have an external review law.					
	§ 3923.67		X		X	
Ohio	§ 3923.67, 3923.68	X			X	
Oklahoma	§ 63-2528.3-63-2528.10	X				X
Oregon	H.B. 3040			X	X	
Pennsylvania	28 PA. Code § 9.753	X			X	
Rhode Island	§ 23-17.12-10	X			X	
South Carolina	§ 38-71-1960	X	X		X	
South Dakota	Does not have an external review law.					
Tennessee	§ 56-32-227	X			X	
Texas	§ 6-21.58C	X			X	
Utah	§ 31A-22-629	X			X	
Vermont	§ 4089f	X	X		X	
Virginia	§ 38.2-5901	X	X		X	
Washington	§ 48.43.535			X	X	
West Virginia	§ 33-25c-6	X	X		X	
Wisconsin	§ 632.83	X	X		X	
Wyoming	Does not have an external review law.					