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NCOIL ADOPTS PRIOR AUTHORIZATION REFORM MODEL ACT

Model Will Protect Consumers & Ensure a More Transparent & Consistent Prior Authorization Process.

Belmar, NJ – At the 2025 National Council of Insurance Legislators (NCOIL) Annual National Meeting in Atlanta, GA, the organization adopted the NCOIL Prior Authorization Reform Model Act, sponsored by Sen. Walter Michel (MS). The Model was passed by both the Health Insurance & Long Term Care Issues Committee and the NCOIL Executive Committee.

The Model, largely based on a prior authorization reform law recently enacted in Mississippi, provides states with a framework to regulate and reform prior authorization programs allowing for a modernized and streamlined process that offers important consumer protections. If enacted by States, the Model will protect the provider-patient relationship from unnecessary third-party interference, prevent programs from hindering the independent medical judgment of physicians and other health care providers, and ensure transparency as well as a fair and consistent process for providers and their patients.

Key provisions include: health insurers must maintain a complete list of services for which prior authorization is required and make those requirements and restrictions, including the written clinical review criteria, readily accessible and conspicuously posted on its website or online portals; statistics regarding prior authorization approvals and denials must be made available by health insurers on their website in a readily accessible format; health insurers and healthcare providers must use a standardized electronic prior authorization process; expedited prior authorization requests must be determined by the insurer no later than twenty-four (24) hours after all necessary information has been received; adverse determinations on prior authorization requests must include certain information such as the reasons for the adverse determination and related evidence-based criteria, the right to appeal the adverse determination and instructions on how to file the appeal; health insurers must ensure that all appeals are reviewed by a physician who must meet certain criteria such as having training, knowledge or experience of providing the health care services under appeal; and health insurers must annually report to the Department of Insurance certain aggregated trend data related to the insurer's practices and experience for the prior plan year for health care services submitted for payment.



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“I could not be more proud of the Committee for the work we put in throughout the year in getting this Model to a place that it could be voted on at the Annual Meeting,” said Rep. Michael Sarge Pollock (KY), Chair of the Committee. “Prior authorization reform is undoubtedly one of the most talked about issues facing the healthcare sector these days and I commend Senator Michel for bringing his experience with the issue to NCOIL and working to pass a really strong Model.”

Sen. Michel stated, “I was proud to sponsor this Model and bring the issue to NCOIL after we passed meaningful prior authorization reform legislation in my home state of Mississippi. When we were working on the legislation in my home state, we held multiple hearings, gathered extensive input, and ultimately delivered important results for consumers. I was glad to see an equally deliberative process play out at NCOIL and I trust that the Model will be of great use to legislators in states all around the country.”

During the drafting and deliberation process, NCOIL legislators and staff heard from a wide range of interested parties including: the American Academy of Family Physicians, America’s Health Insurance Plans, the American Association of Oral and Maxillofacial Surgeons, the American Clinical Laboratory Association, the American Dental Association, the American Hospital Association, the American Medical Association, the Arthritis Foundation, the Blue Cross Blue Shield Association, Biotechnology Innovation Organization, Elevance Health, Genentech, Inseparable, the Blood Cancer United, and the Mississippi Hospital Association.

“The adoption of the Prior Authorization Reform Model Act is a prime example of how NCOIL continues to lead on insurance public policy in a very collaborative and thoughtful way,” said Sen. Paul Utke (MN), NCOIL President. “As legislators, the health and wellbeing of our constituents is always a top priority and the important protections that the provisions in this Model put in place go a long way in ensuring that remains the case.”

NCOIL CEO Will Melofchik stated, “The result achieved with this Model was the product of a lot of hard work between Chair Pollock, Senator Michel, and interested parties, to get the Model to a level of consensus amongst the Committee. As with every NCOIL Model, all perspectives on the issues were heard and vetted and we ended in a really great place that will provide important guidance for states.”

A full copy of the NCOIL Prior Authorization Reform Model Act can be viewed here:
<https://ncoil.org/wp-content/uploads/2025/11/NCOIL-Prior-Auth-Model-November-2025.pdf>

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NCOIL is a national legislative organization with the nation’s 50 states as members, represented principally by legislators serving on their states’ insurance and financial institutions committees. NCOIL writes Model Laws in insurance and financial services, works to preserve the State jurisdiction over insurance as established by the McCarran-Ferguson Act 80 years ago, and to serve as an educational forum for public policymakers and interested parties. Founded in 1969, NCOIL works to assert the prerogative of legislators in making State policy when it comes to insurance and educate State legislators on current and longstanding insurance issues.