

1-1 By: Oliverson (Senate Sponsor - Schwertner) H.B. No. 1753
 1-2 (In the Senate - Received from the House May 10, 2021;
 1-3 May 11, 2021, read first time and referred to Committee on Business
 1-4 & Commerce; May 20, 2021, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; May 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Nichols	X			
1-9 Campbell	X			
1-10 Creighton	X			
1-11 Johnson	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Schwertner	X			
1-15 Whitmire	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to certain required reports under the Texas workers'
 1-20 compensation system.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 1305.502(a), Insurance Code, is amended
 1-23 to read as follows:

1-24 (a) Not later than December 1 of each even-numbered year,
 1-25 the [The] group shall develop and issue an [annual] informational
 1-26 report card that identifies and compares, on an objective basis,
 1-27 the quality, costs, health care provider availability, and other
 1-28 analogous factors of workers' compensation health care networks
 1-29 operating under the workers' compensation system of this state with
 1-30 each other and with medical care provided outside of networks.

1-31 SECTION 2. Sections 504.053(c) and (d), Labor Code, are
 1-32 amended to read as follows:

1-33 (c) If the political subdivision or pool provides medical
 1-34 benefits in the manner authorized under Subsection (b)(2), the
 1-35 following do not apply:

1-36 (1) Sections 408.004 and 408.0041, unless use of a
 1-37 required medical examination or designated doctor is necessary to
 1-38 resolve an issue relating to the entitlement to or amount of income
 1-39 benefits under this title;

1-40 (2) Subchapter B, Chapter 408, except for Section
 1-41 408.021;

1-42 (3) Chapter 413, except for Section 413.042; and

1-43 (4) Chapter 1305, Insurance Code, except for Sections
 1-44 ~~[1305.501,]~~ 1305.502~~[,]~~ and 1305.503.

1-45 (d) If the political subdivision or pool provides medical
 1-46 benefits in the manner authorized under Subsection (b)(2), the
 1-47 following standards apply:

1-48 (1) the political subdivision or pool must ensure that
 1-49 workers' compensation medical benefits are reasonably available to
 1-50 all injured workers of the political subdivision or the injured
 1-51 workers of the members of the pool within a designed service area;

1-52 (2) the political subdivision or pool must ensure that
 1-53 all necessary health care services are provided in a manner that
 1-54 will ensure the availability of and accessibility to adequate
 1-55 health care providers, specialty care, and facilities;

1-56 (3) the political subdivision or pool must have an
 1-57 internal review process for resolving complaints relating to the
 1-58 manner of providing medical benefits, including an appeal to the
 1-59 governing body or its designee and appeal to an independent review
 1-60 organization;

1-61 (4) the political subdivision or pool must establish

2-1 reasonable procedures for the transition of injured workers to
2-2 contract providers and for the continuity of treatment, including
2-3 notice of impending termination of providers and a current list of
2-4 contract providers;

2-5 (5) the political subdivision or pool shall provide
2-6 for emergency care if an injured worker cannot reasonably reach a
2-7 contract provider and the care is for medical screening or other
2-8 evaluation that is necessary to determine whether a medical
2-9 emergency condition exists, necessary emergency care services
2-10 including treatment and stabilization, and services originating in
2-11 a hospital emergency facility following treatment or stabilization
2-12 of an emergency medical condition;

2-13 (6) prospective or concurrent review of the medical
2-14 necessity and appropriateness of health care services must comply
2-15 with Article 21.58A, Insurance Code;

2-16 (7) the political subdivision or pool shall continue
2-17 to report data to the appropriate agency as required by Title 5 of
2-18 this code and Chapter 1305, Insurance Code; and

2-19 (8) a political subdivision or pool is subject to the
2-20 requirements under Sections [~~1305.501~~] 1305.502[~~7~~] and 1305.503,
2-21 Insurance Code.

2-22 SECTION 3. The following provisions are repealed:

2-23 (1) Section 1305.501, Insurance Code;

2-24 (2) Section 2053.012, Insurance Code; and

2-25 (3) Sections 405.0025(b) and (c), Labor Code.

2-26 SECTION 4. This Act takes effect immediately if it receives
2-27 a vote of two-thirds of all the members elected to each house, as
2-28 provided by Section 39, Article III, Texas Constitution. If this
2-29 Act does not receive the vote necessary for immediate effect, this
2-30 Act takes effect September 1, 2021.

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