

BILL ANALYSIS

S.B. 494
By: Shapleigh
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, health maintenance organizations are required to update their list of health care providers on a quarterly basis, but are not required to indicate these updates on their Internet site. Preferred provider organizations are required to update their lists on an annual basis. In addition, these updates do not indicate which providers are accepting new patients and which are not. S.B. 494 requires insurers, group hospital service corporations, and health maintenance organizations that maintain an Internet site to list on that site those physicians and providers that may be used by insureds or enrollees, and to indicate which providers are accepting new patients.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of insurance in SECTION 1 (Article 3.70-3C, Insurance Code), SECTION 2 (Section 842.261, Insurance Code), and SECTION 3 (Section 843.2015, Insurance Code) of this bill.

ANALYSIS

SECTION 1. Amends Article 3.70-3C, Insurance Code, by adding Section 6A, as follows:

Sec. 6A. INFORMATION AVAILABLE THROUGH INTERNET SITE. (a) Requires an insurer subject to this article that maintains an Internet site to list on that site preferred providers, including mental health and substance abuse providers, that may be used by insureds in accordance with the terms of the insured's preferred provider benefit plan. Provides that the listing must identify those preferred providers who continue to be available to provide services to new patients or clients.

(b) Requires an insurer to update the Internet site subject to this section at least quarterly.

(c) Authorizes the commissioner of insurance (commissioner) to adopt rules necessary to implement this section, including rules that govern the form and content of the information required under Subsection (a).

(d) Provides that this section applies to an entity subject to Chapter 941 or 942 of this code and to an arrangement that holds a certificate under Chapter 846 (Multiple Employer Welfare Arrangements), notwithstanding any other provision of this article.

SECTION 2. Amends Chapter 842F, Insurance Code, as effective June 1, 2003, by adding Section 842.261, as follows:

Sec. 842.261. INFORMATION AVAILABLE THROUGH INTERNET SITE. (a) Requires a group hospital service corporation that maintains an Internet site to list on that site the physicians and health care providers, including mental health and substance abuse providers, that may be used by members in accordance with the terms of the policy or certificate applicable to the member. Provides that the listing must identify those physicians and providers who continue to be available to provide services to new patients or clients.

(b) Requires the group hospital service corporation to update the Internet site subject to this section at least quarterly.

(c) Authorizes the commissioner to adopt rules necessary to implement this section, including rules that govern the form and content of the information required under Subsection (a).

SECTION 3. Amends Chapter 843F, Insurance Code, as effective June 1, 2003, by adding Section 843.2015, as follows:

Sec. 843.2015. INFORMATION AVAILABLE THROUGH INTERNET SITE. (a) Requires a health maintenance organization that maintains an Internet site to list on that site the physicians and providers, including mental health and substance abuse providers, that may be used by enrollees in accordance with the terms of the enrollee's health care plan. Provides that the listing must identify those physicians and providers who continue to be available to provide services to new patients or clients.

(b) Requires the health maintenance organization to update the Internet site subject to this section at least quarterly.

(c) Authorizes the commissioner of insurance to adopt rules necessary to implement this section, including rules that govern the form and content of the information required under Subsection (a).

SECTION 4. Provides that an insurer, group hospital service corporation, or health maintenance organization is not required to comply with the change in law made by this Act before January 1, 2004.

SECTION 5. Effective date: September 1, 2003.

EFFECTIVE DATE

September 1, 2003.