

AN ACT

relating to contracts between certain health care providers and health benefit plans.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 3(b), Article 3.70-3C, Insurance Code, as added by Chapter 1024, Acts of the 75th Legislature, Regular Session, 1997, is amended by adding Subdivision (5) to read as follows:

(5) An insurer may not withhold a designation to a podiatrist described by Subsection (p) of this section.

SECTION 2. Section 3, Article 3.70-3C, Insurance Code, as added by Chapter 1024, Acts of the 75th Legislature, Regular Session, 1997, is amended by adding Subsection (p) to read as follows:

(p) Notwithstanding Subsection (b) of this section, an insurer may not withhold the designation of preferred provider to a podiatrist licensed by the Texas State Board of Podiatric Medical Examiners who joins the professional practice of a contracted preferred provider, applies to the insurer for designation as a preferred provider, and complies with the terms and conditions of eligibility to be a preferred provider. A podiatrist designated as a preferred provider under this subsection must comply with the terms of the preferred provider contract used by the insurer or the insurer's network provider.

1 SECTION 3. Section 843.303, Insurance Code, as effective
2 June 1, 2003, is amended by adding Subsection (c) to read as
3 follows:

4 (c) A health maintenance organization may not deny a
5 contract to a podiatrist described by Section 843.319.

6 SECTION 4. Subchapter I, Chapter 843, Insurance Code, as
7 effective June 1, 2003, is amended by adding Section 843.319 to read
8 as follows:

9 Sec. 843.319. CERTAIN REQUIRED CONTRACTS. Notwithstanding
10 Section 843.304, a health maintenance organization may not deny a
11 contract to a podiatrist licensed by the Texas State Board of
12 Podiatric Medical Examiners who joins the professional practice of
13 a contracted physician or provider, satisfies the application
14 procedures of the health maintenance organization, and meets the
15 qualification and credentialing requirements for contracting with
16 the health maintenance organization.

17 SECTION 5. Section 3(p), Article 3.70-3C, and Section
18 843.319, Insurance Code, as added by this Act, apply only to an
19 application for designation as a preferred provider or an
20 application to contract with a health maintenance organization
21 submitted to an insurer or health maintenance organization on or
22 after September 1, 2003. An application submitted before that date
23 is governed by the law as it existed immediately before the
24 effective date of this Act, and that law is continued in effect for
25 that purpose.

26 SECTION 6. This Act takes effect September 1, 2003.

H.B. No. 1163

President of the Senate

Speaker of the House

I certify that H.B. No. 1163 was passed by the House on May 2, 2003, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 1163 on May 29, 2003, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1163 on May 31, 2003, by a non-record vote.

Chief Clerk of the House

H.B. No. 1163

I certify that H.B. No. 1163 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1163 on May 31, 2003, by a viva-voce vote.

Secretary of the Senate

APPROVED: _____

Date

Governor