

By: Madden

H.B. No. 1599

A BILL TO BE ENTITLED

AN ACT

relating to the creation and operation of the advisory committee on health care coverage issues.

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

SECTION 1. Subchapter E, Chapter 21, Insurance Code, is amended by adding Article 21.51 to read as follows:

Art. 21.51. ADVISORY COMMITTEE ON HEALTH CARE COVERAGE ISSUES

Sec. 1. DEFINITIONS. In this article:

(1) "Advisory committee" means the advisory committee on health care coverage issues.

(2) "Health care practitioner" means an individual who is licensed or otherwise regulated by this state to provide health care services.

(3) "Health insurer" means an insurance company, group hospital service corporation, or other entity authorized to engage in the business of health insurance in this state that delivers or issues for delivery an individual, group, blanket, or franchise insurance policy or insurance agreement or group hospital service contract that provides benefits for medical or surgical expenses incurred as a result of an accident or sickness.

(4) "Health maintenance organization" has the meaning assigned by the Texas Health Maintenance Organization Act (Chapter 20A, Vernon's Texas Insurance Code).

1 Sec. 2. ADVISORY COMMITTEE. (a) The advisory committee on
2 health care coverage issues consists of 15 members appointed by the
3 commissioner as follows:

4 (1) three members who are representatives of health
5 insurers;

6 (2) three members who are representatives of health
7 maintenance organizations;

8 (3) three members who are physicians licensed by the
9 Texas State Board of Medical Examiners to practice medicine in this
10 state;

11 (4) three members who are health care practitioners
12 other than physicians; and

13 (5) three public members.

14 (b) Appointments to the advisory committee shall be made
15 without regard to the race, color, disability, sex, religion, age,
16 or national origin of the appointees.

17 (c) Members of the advisory committee serve at the pleasure
18 of the commissioner.

19 (d) The advisory committee is not subject to Section
20 2110.008, Government Code.

21 Sec. 3. ELIGIBILITY OF MEMBERS. (a) A person is not
22 eligible for appointment as a public member of the advisory
23 committee if the person or the person's spouse:

24 (1) is registered, certified, or licensed by the
25 department or by a regulatory agency in the field of health care;

26 (2) is employed by or participates in the management
27 of a business entity or other organization regulated by or

1 receiving money from the department or a regulatory agency in the
2 field of health care;

3 (3) owns or controls, directly or indirectly, more
4 than a 10 percent interest in a business entity or other
5 organization regulated by or receiving money from the department or
6 a regulatory agency in the field of health care; or

7 (4) uses or receives a substantial amount of tangible
8 goods, services, or money from the department or a regulatory
9 agency in the field of health care other than compensation or
10 reimbursement authorized by law.

11 (b) A person may not be a member of the advisory committee if
12 the person is required to register as a lobbyist under Chapter 305,
13 Government Code, because of the person's activities for
14 compensation on behalf of a profession related to the operation of
15 the department or a regulatory agency in the field of health care.

16 Sec. 4. TERMS. Members of the advisory committee serve
17 staggered six-year terms, with the terms of five members expiring
18 on February 1 of each odd-numbered year.

19 Sec. 5. PRESIDING OFFICER; MEETINGS. (a) The commissioner
20 shall appoint the presiding officer of the advisory committee to
21 serve in that capacity for one year.

22 (b) The advisory committee shall meet quarterly and at the
23 call of the commissioner.

24 Sec. 6. REIMBURSEMENT OF MEMBER'S EXPENSES. A member of the
25 advisory committee may not receive compensation for serving on the
26 advisory committee. A member is eligible for reimbursement for
27 expenses incurred in performing advisory committee functions only

1 as provided by Section 2110.004, Government Code.

2 Sec. 7. DUTIES; REPORTS. (a) The advisory committee shall
3 study health care coverage problems in this state and make
4 recommendations to the commissioner and the legislature about
5 practical and efficient solutions to those problems. In conducting
6 the study, the advisory committee shall examine:

7 (1) the benefits provided in this state under health
8 insurance policies and evidences of coverage;

9 (2) issues regarding payment of physicians and health
10 care practitioners by health insurers and health maintenance
11 organizations;

12 (3) consumer concerns regarding health care coverage;
13 and

14 (4) other issues as specified by the commissioner.

15 (b) The advisory committee shall report to the commissioner
16 at least quarterly and as directed by the commissioner.

17 (c) The advisory committee shall report to the legislature
18 during each regular legislative session in the manner prescribed by
19 the commissioner. The report to the legislature may include
20 recommendations for proposed legislation.

21 SECTION 2. The commissioner of insurance shall appoint the
22 initial members of the advisory committee on health care coverage
23 issues established under Article 21.51, Insurance Code, as added by
24 this Act, not later than the 30th day after the effective date of
25 this Act.

26 SECTION 3. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.