

By: Madden

H.B. No. 3093

A BILL TO BE ENTITLED

AN ACT

relating to improving access to health care for the citizens of Texas by providing for the reimbursement and use of particular health care practitioners who are licensed by the state to provide certain services.

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

SECTION 1. Section 3, Article 21.52, Insurance Code, subsection (d) is amended to read as follows:

Sec. 3. SELECTION OF PRACTITIONERS. (d) There shall not be any Classification, differentiation, or other discrimination in the Payment schedule or the payment provisions in a health insurance Policy, nor in the amount or manner of payment or reimbursement Thereunder, between scheduled services or procedures when performed by a doctor of podiatric medicine, a doctor of optometry, a doctor of chiropractic, a licensed dentist, an occupational therapist, a physical therapist, a licensed audiologist, a licensed speech-language pathologist, a licensed master social worker--advanced clinical practitioner, a licensed dietitian, a licensed professional counselor, a licensed marriage and family therapist, a psychologist, a licensed psychological associate, a licensed chemical dependency counselor, an advanced practice nurse or a registered nurse first assistant to provide the services scheduled in the policy, a physician assistant or a licensed surgical assistant to provide the services scheduled in

1 the policy, a licensed acupuncturist, a licensed hearing instrument  
 2 fitter and dispenser, or which fall within the scope of that  
 3 practitioner's license or certification and the same services or  
 4 procedures when performed by an other practitioner of the healing  
 5 arts who services or procedures are covered by the policy. However,  
 6 a health insurance policy may provide for a different amount of  
 7 payment or reimbursement for scheduled services or procedures when  
 8 performed by an advanced practice nurse or physician assistant  
 9 provided the reimbursement methodology used to calculate the  
 10 payment for the service or procedure is the same methodology used to  
 11 calculate the payment when the service or procedure is provided by a  
 12 physician. This section applies to a carrier's rate of payment of  
 13 reimbursement to these types of providers or practitioners under a  
 14 health insurance policy; it does not apply to an insured  
 15 cost-sharing amounts, such as coinsurance, copayments or  
 16 deductibles.

17 SECTION 2. This Act takes effect September 1, 2003.