

1-1 By: Lindsay S.B. No. 121
1-2 (In the Senate - Filed November 18, 2002; January 29, 2003,
1-3 read first time and referred to Committee on State Affairs;
1-4 February 19, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0;
1-6 February 19, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 121 By: Ellis

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the application of the open meetings law to certain
1-11 health maintenance organizations.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 551.085, Government Code, is amended to
1-14 read as follows:

1-15 Sec. 551.085. GOVERNING BOARD OF CERTAIN PROVIDERS OF
1-16 HEALTH CARE SERVICES. (a) This chapter does not require the
1-17 governing board of a municipal hospital, municipal hospital
1-18 authority, hospital district created under general or special law,
1-19 or nonprofit health maintenance organization created under Section
1-20 534.101, Health and Safety Code, to conduct an open meeting to
1-21 deliberate:

1-22 (1) pricing or financial planning information
1-23 relating to a bid or negotiation for the arrangement or provision of
1-24 services or product lines to another person if disclosure of the
1-25 information would give advantage to competitors of the hospital,
1-26 hospital district, or nonprofit health maintenance organization;
1-27 or

1-28 (2) information relating to a proposed new service or
1-29 product line of the hospital, hospital district, or nonprofit
1-30 health maintenance organization before publicly announcing the
1-31 service or product line.

1-32 (b) The governing board of a health maintenance
1-33 organization created under Section 281.0515, Health and Safety
1-34 Code, that is subject to this chapter is not required to conduct an
1-35 open meeting to deliberate information described by Subsection (a).
1-36 SECTION 2. This Act takes effect September 1, 2003.

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