

By: Whitmire

S.B. No. 879

A BILL TO BE ENTITLED

AN ACT

1
2 relating to appeals of adverse determinations made by health
3 maintenance organizations.

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

5 SECTION 1. Subchapter G, Chapter 843, Insurance Code, as
6 effective June 1, 2003, is amended by adding Section 843.262 to read
7 as follows:

8 Sec. 843.262. CERTAIN DECISIONS BINDING. If an enrollee, a
9 person acting on behalf of an enrollee, or an enrollee's provider of
10 record appeals an adverse determination as provided under Section
11 843.261 and the health maintenance organization or utilization
12 review agent, as applicable, resolves the claim in favor of the
13 enrollee, the decision is binding on the health maintenance
14 organization.

15 SECTION 2. This Act takes effect September 1, 2003, and
16 applies only to an adverse determination under an evidence of
17 coverage that is delivered, issued for delivery, or renewed on or
18 after January 1, 2004. An adverse determination under an evidence
19 of coverage that is delivered, issued for delivery, or renewed
20 before January 1, 2004, is governed by the law as it existed
21 immediately before the effective date of this Act, and that law is
22 continued in effect for that purpose.