

By: Carona

S.B. No. 1573

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the applicability of certain policies and guidelines  
3 adopted by the Texas Workers' Compensation Commission to medical  
4 dispute resolution under the workers' compensation system.

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

6 SECTION 1. Section 413.031, Labor Code, is amended by  
7 adding Subsection (e-1) to read as follows:

8 (e-1) In performing a review of medical necessity under  
9 Subsection (d) or (e), the independent review organization shall  
10 consider the commission's health care reimbursement policies and  
11 guidelines adopted under Section 413.011 if those policies and  
12 guidelines are raised by one of the parties to the dispute. If the  
13 independent review organization's decision is contrary to the  
14 commission's policies or guidelines adopted under Section 413.011,  
15 the independent review organization must indicate in the decision  
16 the specific basis for its divergence in the review of medical  
17 necessity. This subsection does not prohibit an independent review  
18 organization from considering the payment policies adopted under  
19 Section 413.011 in any dispute, regardless of whether those  
20 policies are raised by a party to the dispute.

21 SECTION 2. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2003.