

1-1 By: Carona S.B. No. 1573
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read
1-3 first time and referred to Committee on State Affairs; May 5, 2003,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 8, Nays 0; May 5, 2003, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1573 By: Nelson

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the applicability of certain policies and guidelines
1-10 adopted by the Texas Workers' Compensation Commission to medical
1-11 dispute resolution under the workers' compensation system.

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

1-13 SECTION 1. Section 413.031, Labor Code, is amended by
1-14 adding Subsection (e-1) to read as follows:

1-15 (e-1) In performing a review of medical necessity under
1-16 Subsection (d) or (e), the independent review organization shall
1-17 consider the commission's health care reimbursement policies and
1-18 guidelines adopted under Section 413.011 if those policies and
1-19 guidelines are raised by one of the parties to the dispute. If the
1-20 independent review organization's decision is contrary to the
1-21 commission's policies or guidelines adopted under Section 413.011,
1-22 the independent review organization must indicate in the decision
1-23 the specific basis for its divergence in the review of medical
1-24 necessity. This subsection does not prohibit an independent review
1-25 organization from considering the payment policies adopted under
1-26 Section 413.011 in any dispute, regardless of whether those
1-27 policies are raised by a party to the dispute.

1-28 SECTION 2. This Act takes effect immediately if it receives
1-29 a vote of two-thirds of all the members elected to each house, as
1-30 provided by Section 39, Article III, Texas Constitution. If this
1-31 Act does not receive the vote necessary for immediate effect, this
1-32 Act takes effect September 1, 2003.

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