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S.C.R. No. 48

1 CONCURRENT RESOLUTION

2 WHEREAS, The integrity of the Texas workers' compensation  
3 system must be protected so that injured workers have ready access  
4 to medically necessary health care services, including medically  
5 necessary prescription drugs; and

6 WHEREAS, The current statutory, regulatory, and  
7 administrative guidelines for determining payment amounts for  
8 prescription drugs under the Labor Code are vague and do not provide  
9 fair notice to providers and workers' compensation insurance  
10 carriers regarding the amounts to be billed and paid; and

11 WHEREAS, The methodology for determining payment amounts for  
12 prescription drugs under state law should be clearly defined; and

13 WHEREAS, In order to ensure the presence of a reliable  
14 network of pharmacy providers and workers' compensation insurance  
15 carriers for injured workers in Texas, the procedures for  
16 presenting and processing claims for prescription drugs under the  
17 Labor Code should be made more efficient and less burdensome on  
18 insurance carriers and pharmacy providers; and

19 WHEREAS, Workers' compensation insurance carriers and  
20 pharmacy providers throughout Texas are working collaboratively  
21 toward the goals set forth in this resolution; now, therefore, be it

22 RESOLVED, That the 78th Legislature of the State of Texas  
23 hereby direct the Texas Workers' Compensation Commission to

1 complete, not later than December 1, 2003, a study of the additional  
2 administrative costs and expenses incurred by pharmacy providers to  
3 process claims and payments for prescription drugs provided to  
4 individuals under the Texas workers' compensation system, relative  
5 to the costs and expenses incurred in providing such drugs to  
6 self-paying individuals or individuals for whom payment is made  
7 under insurance coverage other than workers' compensation  
8 insurance; and, be it further

9       RESOLVED, That the 78th Legislature of the State of Texas  
10 hereby direct the Texas Workers' Compensation Commission to  
11 promulgate, not later than December 1, 2003, regulations that  
12 clearly define the methodology for determining payment amounts for  
13 prescription drugs under the Texas Workers' Compensation Act, and  
14 in so doing, to take into account the additional costs and expenses  
15 that workers' compensation insurance carriers and pharmacies incur  
16 in providing prescription drugs to individuals under the Labor Code  
17 and to ensure the presence of a reliable network of pharmacy  
18 providers for injured workers in Texas; and, be it further

19       RESOLVED, That the 78th Legislature of the State of Texas  
20 hereby direct the Texas Workers' Compensation Commission to pursue  
21 efforts to streamline the procedures for presenting, processing,  
22 and paying claims for prescription drugs under the Labor Code  
23 through the development of a system more efficient than the one  
24 currently in place; and, be it further

25       RESOLVED, That the 78th Legislature of the State of Texas  
26 hereby direct the Texas Workers' Compensation Commission to  
27 implement this resolution in a budget-neutral manner, and to

1 employ, as appropriate, studies or other research funded by  
2 collaborative efforts of workers' compensation insurance carriers  
3 and pharmacy providers; and, be it further

4         RESOLVED, That the secretary of state forward an official  
5 copy of this resolution to the commissioner of the Texas Workers'  
6 Compensation Commission.