

1-1 By: Taylor (Senate Sponsor - Jackson) H.B. No. 1030
1-2 (In the Senate - Received from the House May 16, 2005;
1-3 May 17, 2005, read first time and referred to Committee on State
1-4 Affairs; May 20, 2005, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to availability of preferred providers.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subchapter A, Chapter 1301, Insurance Code, as
1-11 effective April 1, 2005, is amended by adding Sections 1301.0045
1-12 and 1301.0046 to read as follows:

1-13 Sec. 1301.0045. CONSTRUCTION OF CHAPTER. Except as
1-14 provided by Section 1301.0046, this chapter may not be construed to
1-15 limit the level of reimbursement or the level of coverage,
1-16 including deductibles, copayments, coinsurance, or other
1-17 cost-sharing provisions, that are applicable to preferred
1-18 providers or nonpreferred providers.

1-19 Sec. 1301.0046. COINSURANCE REQUIREMENTS FOR SERVICES OF
1-20 NONPREFERRED PROVIDERS. The insured's coinsurance applicable to
1-21 payment to nonpreferred providers may not exceed 50 percent of the
1-22 total covered amount applicable to the medical or health care
1-23 services.

1-24 SECTION 2. Section 1301.007, Insurance Code, as effective
1-25 April 1, 2005, is amended to read as follows:

1-26 Sec. 1301.007. RULES. The commissioner shall adopt rules
1-27 as necessary to:

1-28 (1) implement this chapter; and

1-29 (2) ensure reasonable accessibility and availability
1-30 of preferred provider services [~~benefits and basic level benefits~~]
1-31 to residents of this state.

1-32 SECTION 3. This Act applies only to an insurance policy,
1-33 certificate, or contract delivered, issued for delivery, or renewed
1-34 on or after January 1, 2006. A policy, certificate, or contract
1-35 delivered, issued for delivery, or renewed before January 1, 2006,
1-36 is governed by the law as it existed immediately before the
1-37 effective date of this Act, and that law is continued in effect for
1-38 that purpose.

1-39 SECTION 4. This Act takes effect September 1, 2005.

1-40 * * * * *