

By: Nelson

S.B. No. 49

A BILL TO BE ENTITLED

AN ACT

relating to the electronic submission of certain health care transactions.

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

SECTION 1. Section 2, Article 21.52Z, Insurance Code, is amended to read as follows:

Sec. 2. ELECTRONIC SUBMISSION OF CLAIMS. (a) Before September 1, 2007, the [The] issuer of a health benefit plan by contract may require that a health care professional licensed or registered under the Occupations Code or a health care facility licensed under the Health and Safety Code submit a health care claim or equivalent encounter information, a referral certification, or an authorization or eligibility transaction electronically. This subsection expires September 1, 2007.

(b) On or after September 1, 2007, the issuer of a health benefit plan by contract shall require that a health care professional licensed or registered under the Occupations Code or a health care facility licensed under the Health and Safety Code submit a health care claim or equivalent encounter information, a referral certification, or an authorization or eligibility transaction electronically.

(c) A [The] health benefit plan issuer shall comply with the standards for electronic transactions required by this section and established by the commissioner by rule.

1 (d) A [~~(b)~~ ~~The issuer of a~~] health benefit plan by contract
2 shall establish a default method to submit claims in a
3 nonelectronic format if [~~there is~~] a system failure or failures
4 exist or a catastrophic event substantially interferes with the
5 normal business operations of the physician, provider, or health
6 benefit plan or its agents. The health benefit plan issuer shall
7 comply with the standards for nonelectronic transactions
8 established by the commissioner by rule.

9 SECTION 2. The change in law made by this Act applies only
10 to a health benefit plan that is delivered, issued for delivery, or
11 renewed on or after the effective date of this Act. A health
12 benefit plan that is delivered, issued for delivery, or renewed
13 before the effective date of this Act is governed by the law in
14 effect on the date that the health benefit plan was delivered,
15 issued for delivery, or renewed, and that law is continued in effect
16 for that purpose.

17 SECTION 3. This Act takes effect September 1, 2005.