

By: Van de Putte

S.B. No. 536

A BILL TO BE ENTITLED

1 AN ACT

2 relating to reimbursement under certain health benefit plans for  
3 services provided by licensed podiatrists.

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

5 SECTION 1. Subchapter I, Chapter 843, Insurance Code, is  
6 amended by adding Section 843.3122 to read as follows:

7 Sec. 843.3122. SELECTION OF PODIATRIST. (a) In this  
8 section, "podiatrist" has the meaning assigned by Section 202.001,  
9 Occupations Code.

10 (b) Notwithstanding any other law or the provisions of a  
11 physician or provider contract subject to this chapter, if the  
12 health care plan or a physician or provider contract of a health  
13 maintenance organization provides for payment or reimbursement for  
14 a service or procedure that is within the scope of practice of a  
15 licensed podiatrist:

16 (1) an enrollee may select a podiatrist to provide the  
17 service or procedure; and

18 (2) the person providing the service or procedure is  
19 entitled to the same amount of reimbursement from the health  
20 maintenance organization, regardless of whether the person is a  
21 physician or podiatrist.

22 (c) This section does not prohibit a variation in  
23 reimbursement by the health maintenance organization based on:

24 (1) the geographic location of the delivery of

1 services;

2 (2) preeminent qualifications of a specific physician  
3 or podiatrist; or

4 (3) the need to provide services in an underserved  
5 area of the state.

6 SECTION 2. Subchapter B, Chapter 1301, Insurance Code, as  
7 effective April 1, 2005, is amended by adding Section 1301.0522 to  
8 read as follows:

9 Sec. 1301.0522. SELECTION OF PODIATRIST. (a) In this  
10 section, "podiatrist" has the meaning assigned by Section 202.001,  
11 Occupations Code.

12 (b) Notwithstanding any other law or the provisions of a  
13 preferred provider contract subject to this chapter, if the  
14 preferred provider benefit plan or a preferred provider contract  
15 provides for payment or reimbursement for a service or procedure  
16 that is within the scope of practice of a licensed podiatrist:

17 (1) an insured may select a podiatrist to provide the  
18 service or procedure; and

19 (2) the person providing the service or procedure is  
20 entitled to the same amount of reimbursement from the preferred  
21 provider benefit plan, regardless of whether the person is a  
22 physician or podiatrist.

23 (c) This section does not prohibit a variation in  
24 reimbursement by the preferred provider benefit plan based on:

25 (1) the geographic location of the delivery of  
26 services;

27 (2) preeminent qualifications of a specific physician

1 or podiatrist; or

2 (3) the need to provide services in an underserved  
3 area of the state.

4 SECTION 3. This Act applies only to a health insurance  
5 policy or contract or an evidence of coverage that is delivered,  
6 issued for delivery, or renewed on or after January 1, 2006. A  
7 health insurance policy or contract or an evidence of coverage that  
8 is delivered, issued for delivery, or renewed before January 1,  
9 2006, is governed by the law as it existed immediately before the  
10 effective date of this Act, and that law is continued in effect for  
11 that purpose.

12 SECTION 4. This Act takes effect September 1, 2005.