

By: Armbrister

S.B. No. 1284

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain requirements applicable to health maintenance  
3 organizations.

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

5 SECTION 1. Section 843.051, Insurance Code, is amended by  
6 adding Subsections (f) and (g) to read as follows:

7 (f) A health maintenance organization is subject to Chapter  
8 823 as if the health maintenance organization were an insurer under  
9 that chapter.

10 (g) The merger of a health maintenance organization with  
11 another health maintenance organization is subject to Chapter 824  
12 as if the health maintenance organizations were insurance  
13 corporations under that chapter. The commissioner may adopt rules  
14 as necessary to implement this subsection in a way that reflects the  
15 nature of health maintenance organizations, health care plans, or  
16 evidences of coverage.

17 SECTION 2. Subsection (a), Section 843.441, Insurance Code,  
18 is amended to read as follows:

19 (a) To provide funds for the administrative expenses of the  
20 commissioner regarding rehabilitation, liquidation, supervision,  
21 or conservation of an impaired health maintenance organization in  
22 this state, including expenses incurred by the commissioner acting  
23 as receiver or by a special deputy receiver, the committee, at the  
24 commissioner's direction, shall assess each health maintenance

1 organization in the proportion that the gross premiums of the  
2 health maintenance organization that were written in this state  
3 during the preceding calendar year bear to the aggregate gross  
4 premiums that were written in this state by all health maintenance  
5 organizations, as provided to the committee by the commissioner  
6 after review of annual statements and other reports the  
7 commissioner considers necessary.

8 SECTION 3. Subsection (b), Section 843.441, Insurance Code,  
9 is repealed.

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