

By: Elkins

H.B. No. 1911

Substitute the following for H.B. No. 1911:

By: Darby

C.S.H.B. No. 1911

A BILL TO BE ENTITLED

AN ACT

relating to workers' compensation fee guidelines.

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

SECTION 1. Section 413.011(d), Labor Code, is amended to read as follows:

(d) Fee guidelines must be fair and reasonable and designed to ensure the quality of medical care and to achieve effective medical cost control. The guidelines may not provide for payment of a fee in excess of the fee charged for similar treatment of an injured employed individual of an equivalent standard of living and paid by that individual or by someone acting on that individual's behalf. ~~[The commissioner shall consider the increased security of payment afforded by this subtitle in establishing the fee guidelines.]~~ Notwithstanding Section 413.016 or any other provision of this title, an insurance carrier may pay fees to a health care provider that are inconsistent with the fee guidelines adopted by the division if the insurance carrier or a network under Chapter 1305, Insurance Code, has a contract with the health care provider and that contract includes a specific fee schedule.

SECTION 2. The change in law made by this Act applies only to a fee guideline adopted by the commissioner of workers' compensation on or after the effective date of this Act. A fee guideline adopted before that date is governed by the law in effect on the date that the fee guideline was adopted, and the former law

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1 is continued in effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2007.