

By: Van de Putte

S.B. No. 543

A BILL TO BE ENTITLED

AN ACT

relating to reimbursement under preferred provider benefit plans for services provided by licensed podiatrists.

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

SECTION 1. Section 1301.062, Insurance Code, is amended to read as follows:

Sec. 1301.062. PREFERRED PROVIDER CONTRACTS BETWEEN INSURERS AND PODIATRISTS. (a) In this section, "podiatrist" means a podiatrist licensed by the Texas State Board of Podiatric Medical Examiners under Chapter 202, Occupations Code.

(b) A preferred provider contract between an insurer and a podiatrist [~~licensed by the Texas State Board of Podiatric Medical Examiners~~] must provide that:

(1) the podiatrist may request a copy of the coding guidelines and payment schedules applicable to the compensation that the podiatrist will receive under the contract for services;

(2) the insurer shall provide a copy of the coding guidelines and payment schedules not later than the 30th day after the date of the podiatrist's request;

(3) the insurer may not unilaterally make material retroactive revisions to the coding guidelines and payment schedules; and

(4) the podiatrist may, practicing within the scope of the law regulating podiatry, furnish x-rays and nonprefabricated

1 orthotics covered by the health insurance policy.

2 (c) A preferred provider contract between an insurer and a
3 podiatrist may not use a payment or reimbursement schedule for
4 services or procedures covered by the contract that discriminates
5 in the payment or reimbursement for the scheduled services or
6 procedures based solely on whether the services are performed by a
7 licensed podiatrist or a licensed physician. The services or
8 procedures performed must be within the scope of the license of the
9 podiatrist or the physician.

10 (d) Notwithstanding Subsection (c) or any other law, a
11 preferred provider contract between an insurer and a podiatrist may
12 provide for different amounts of payment or reimbursement for
13 scheduled services and procedures based on the following factors:

14 (1) the geographic location of the delivery of
15 services;

16 (2) the unique qualifications, training, or
17 experience of a specific podiatrist or physician; or

18 (3) the need of the insurer to contract with preferred
19 providers to provide health care services in an underserved area of
20 the state.

21 (e) This section applies to any person with whom an insurer
22 contracts to:

23 (1) obtain the services of podiatrists to provide
24 health care services to insureds; or

25 (2) negotiate or provide access to discounted fee
26 schedules for preferred providers.

27 SECTION 2. This Act applies only to a preferred provider

1 contract entered into or renewed on or after January 1, 2008. A
2 contract entered into or renewed before January 1, 2008, is
3 governed by the law as it existed immediately before the effective
4 date of this Act, and that law is continued in effect for that
5 purpose.

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