

By: Deuell

S.B. No. 1143

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting certain ranking of physicians by health benefit plans.

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

SECTION 1. Subtitle F, Title 8, Insurance Code, is amended by adding Chapter 1460 to read as follows:

CHAPTER 1460. CERTAIN PHYSICIAN RANKING BY HEALTH BENEFIT PLANS  
PROHIBITED

Sec. 1460.001. DEFINITIONS. In this chapter:

(1) "Health benefit plan issuer" means an entity authorized under this code or another insurance law of this state that provides health insurance or health benefits in this state, including:

(A) an insurance company;

(B) a group hospital service corporation operating under Chapter 842;

(C) a health maintenance organization operating under Chapter 843; and

(D) a stipulated premium company operating under Chapter 884.

(2) "Physician" means an individual licensed to practice medicine in this state or another state of the United States.

Sec. 1460.002. PHYSICIAN RANKING PROHIBITED. (a) A health

benefit plan issuer may not:

(1) establish ranking programs for use in the provision of medical services by the health benefit plan under which certain physicians are presented as superior in:

(A) the quality of medical care provided; or

(B) efficiency in the provision of medical services; or

(2) otherwise rank physicians in a manner that is not authorized under this code or Subtitle B, Title 3, Occupations Code.

(b) A health benefit plan issuer may not use advertising, promotional materials, or other information provided to an applicant for insurance coverage, an insured, or an enrollee, under which certain physicians are ranked as superior in:

(1) the quality of medical care provided; or

(2) efficiency in the provision of medical services.

Sec. 1460.003. RULES. The commissioner shall adopt rules in the manner prescribed by Subchapter A, Chapter 36, as necessary to implement this chapter.

Sec. 1460.004. SANCTIONS. A health benefit plan issuer that violates this chapter is subject to sanctions under Chapter 82.

SECTION 2. (a) A health benefit plan issuer shall comply with Chapter 1460, Insurance Code, not later than December 31, 2007.

(b) A health benefit plan issuer is not subject to sanctions under Section 1460.004, as added by this Act, before January 1,

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1 2008.

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