

By: Uresti

S.B. No. 1985

A BILL TO BE ENTITLED

AN ACT

relating to workers' compensation health care reimbursement policies and fee guidelines for certain health care services.

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

SECTION 1. Sections 413.011(a) and (d), Labor Code, are amended to read as follows:

(a) The commissioner shall adopt health care reimbursement policies and guidelines that reflect the standardized reimbursement structures found in other health care delivery systems and may modify ~~[with minimal modifications to]~~ those reimbursement methodologies as necessary to meet occupational injury requirements. To achieve standardization, the commissioner shall consider ~~[adopt]~~ the most current reimbursement methodologies, models, and values or weights used by the federal Centers for Medicare and Medicaid Services, including applicable payment policies relating to coding, billing, and reporting, and may modify documentation requirements as necessary to meet the requirements of Section 413.053.

(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 individual of an equivalent standard of living and paid by that individual or by someone acting on that individual's behalf.

1 The guidelines may not provide for payment of a fee for a procedure  
2 performed in an ambulatory surgical center that is different from  
3 the fee for the same procedure performed in a hospital outpatient  
4 department or other outpatient setting. The commissioner shall  
5 consider the increased security of payment afforded by this  
6 subtitle in establishing the fee guidelines.

7 SECTION 2. This Act takes effect September 1, 2009.