

By: Hopson

H.B. No. 2827

A BILL TO BE ENTITLED

AN ACT

1
2 relating to coverage for certain pharmaceutical services by a
3 workers' compensation insurance carrier.

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

5 SECTION 1. Section 413.0141, Labor Code, is amended to read
6 as follows:

7 Sec. 413.0141. INITIAL PHARMACEUTICAL COVERAGE. The
8 commissioner may by rule provide that an insurance carrier shall
9 provide for payment of specified pharmaceutical services through
10 ~~[sufficient for]~~ the seventh working day after ~~[first seven days~~
11 ~~following]~~ the date of injury if the health care provider requests
12 and receives verification of insurance coverage and a verbal
13 confirmation of an injury from the employer or from the insurance
14 carrier as provided by Section 413.014. The rules adopted by the
15 commissioner shall provide that an insurance carrier is eligible
16 for reimbursement for pharmaceutical services paid under this
17 section from the subsequent injury fund in the event the injury is
18 determined not to be compensable.

19 SECTION 2. The changes in law made by this Act apply only to
20 pharmaceutical services provided in conjunction with a claim for
21 workers' compensation benefits based on a compensable injury that
22 occurs on or after the effective date of this Act. Pharmaceutical
23 services provided in conjunction with a claim based on a
24 compensable injury that occurs before that date are governed by the

1 law in effect on the date the compensable injury occurred, and the
2 former law is continued in effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2011.