

By: Zedler

H.B. No. 287

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the confidentiality of certain information following  
3 the completion of a review conducted by an independent review  
4 organization.

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

6 SECTION 1. Section 1305.355, Insurance Code, is amended by  
7 adding Subsection (h) to read as follows:

8 (h) Notwithstanding Section 4202.009(a), Insurance Code,  
9 following the completion of an independent review under Subsection  
10 (a), on written request to the utilization review agent or  
11 independent review organization, a party to the reviewed medical  
12 dispute is entitled to the name and professional qualifications of  
13 any doctor or other health care practitioner used to perform the  
14 review.

15 SECTION 2. Section 4202.009, Insurance Code, is amended to  
16 read as follows:

17 Sec. 4202.009. CONFIDENTIAL INFORMATION. (a) Except as  
18 provided by Subsection (b), information [~~Information~~] that reveals  
19 the identity of a physician or other individual health care  
20 provider who makes a review determination for an independent review  
21 organization is confidential.

22 (b) Following the completion of a review determination, on  
23 written request to the utilization review agent or independent  
24 review organization, a party that sought the independent review of

1 the adverse determination is entitled to the name and professional  
2 qualifications of any physician or other individual health care  
3 provider who made the review determination.

4         SECTION 3. The change in law made by this Act applies only  
5 to a determination made by an independent review organization with  
6 reference to a review that was requested on or after the effective  
7 date of this Act. A determination made by an independent review  
8 organization with reference to a review that was requested before  
9 the effective date of this Act is governed by the law in effect  
10 immediately before the effective date of this Act, and that law is  
11 continued in effect for that purpose.

12         SECTION 4. This Act takes effect September 1, 2013.