

By: Kuempel

H.B. No. 522

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to direct payment by a health insurer to physicians and  
3 health care providers.

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

5 SECTION 1. The heading to Subchapter B, Chapter 1204,  
6 Insurance Code, is amended to read as follows:

7 SUBCHAPTER B. ASSIGNMENT OF BENEFIT PAYMENTS; DIRECT PAYMENT OF  
8 BENEFITS

9 SECTION 2. Section 1204.051(3), Insurance Code, is amended  
10 to read as follows:

11 (3) "Health care provider" means a person who provides  
12 health care services or ambulance services under a license,  
13 certificate, registration, or other similar evidence of regulation  
14 issued by this or another state of the United States.

15 SECTION 3. Subchapter B, Chapter 1204, Insurance Code, is  
16 amended by adding Sections 1204.056, 1204.057, and 1204.058 to read  
17 as follows:

18 Sec. 1204.056. ASSIGNMENT OF BENEFITS OPTION REQUIRED.

19 (a) A health insurance policy claim form must provide an option  
20 for the claimant to assign benefits to a physician or health care  
21 provider who provided covered services.

22 (b) The health insurer may require a written attestation of  
23 assignment of benefits.

24 Sec. 1204.057. AMOUNT OF PAYMENT UNDER ASSIGNMENT OF

1 BENEFITS. A payment to a physician or health care provider under an  
2 assignment of benefits may not be more than the amount the insurer  
3 would have paid in the absence of an assignment of benefits.

4 Sec. 1204.058. DIRECT PAYMENT PROVISION AUTHORIZED. A  
5 health insurance policy may provide for payment of benefits  
6 directly to a physician or health care provider who provides  
7 covered services to a covered person, even in the absence of an  
8 assignment of benefits.

9 SECTION 4. Subchapter B, Chapter 1301, Insurance Code, is  
10 amended by adding Section 1301.0561 to read as follows:

11 Sec. 1301.0561. DIRECT PAYMENT TO PREFERRED PROVIDERS  
12 REQUIRED. An insurer that issues a preferred provider benefit plan  
13 shall pay a preferred provider directly for covered services  
14 provided to a person insured under the plan, in accordance with this  
15 chapter, without requiring an assignment of benefits.

16 SECTION 5. The changes in law made by this Act apply only to  
17 an insurance policy delivered, issued for delivery, or renewed on  
18 or after January 1, 2014. An insurance policy delivered, issued for  
19 delivery, or renewed before January 1, 2014, is governed by the law  
20 in effect immediately before the effective date of this Act, and  
21 that law is continued in effect for that purpose.

22 SECTION 6. This Act takes effect September 1, 2013.