

By: Eiland

H.B. No. 1907

A BILL TO BE ENTITLED

AN ACT

relating to review by the office of public insurance counsel of rate filings by health benefit plan issuers.

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

SECTION 1. Subchapter D, Chapter 501, Insurance Code, is amended by adding Section 501.1545 to read as follows:

Sec. 501.1545. ROLE OF PUBLIC COUNSEL IN HEALTH BENEFIT PLAN RATE FILINGS. (a) In this section, "health benefit plan" means an insurance policy, insurance agreement, evidence of coverage, or other similar coverage document that provides coverage for medical or surgical expenses incurred as a result of a health condition, accident, or sickness.

(b) On request by the commissioner, the public counsel may review all rate filings and additional information provided under this code or rules adopted under this code by the issuer of a health benefit plan. Confidential information reviewed under this subsection remains confidential.

(c) The public counsel, not later than the 30th day after the date of a rate filing described by Subsection (b), may file with the commissioner a written objection to:

(1) the rate filing; or

(2) the criteria on which the issuer of a health benefit plan relied to determine the rate.

(d) A written objection filed under Subsection (c) must

1 contain the reasons for the objection.

2 SECTION 2. As soon as practicable after the effective date
3 of this Act, the commissioner of insurance shall apply for a federal
4 premium review grant under Section 1003, Patient Protection and
5 Affordable Care Act (42 U.S.C. Section 300gg-94). The commissioner
6 shall include in the grant request an amount the office of public
7 insurance counsel determines is sufficient to allow the office of
8 public insurance counsel to implement Section 501.1545, Insurance
9 Code, as added by this Act. The commissioner shall allocate part of
10 the grant to the office of public insurance counsel based on the
11 proportion of the amount the office bears to the total amount
12 requested.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.