

By: Price

H.B. No. 2017

A BILL TO BE ENTITLED

AN ACT

relating to nondiscrimination against physicians in payment for telephone consultation services.

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

SECTION 1. Subtitle F, Title 8, Insurance Code, is amended by adding Chapter 1459 to read as follows:

CHAPTER 1459. FAIR ACCESS TO TELEPHONE CONSULTATIONS

Sec. 1459.001. DEFINITIONS. In this chapter:

(1) "Employee benefit plan" means a plan, fund or program established or maintained by an employer or employee organization.

(2) "Health insurance policy" means any individual, group, blanket, or franchise insurance policy, insurance agreement, or group hospital service contract.

(3) "Physician" means an individual licensed to practice medicine in this state; a professional association composed solely of individuals licensed to practice medicine in this state; a single legal entity authorized to practice medicine in this state that is owned by two or more individuals licensed to practice medicine in this state; a nonprofit health corporation certified by the Texas Medical Board under Chapter 162, Occupations Code; and a partnership composed solely of individuals licensed to practice medicine in this state.

Sec. 1459.002. NONDISCRIMINATION IN TELEPHONE CONSULTATION

1 SERVICES. (a) An employee benefit plan or health insurance policy
2 may not:

3 (1) prohibit a physician from charging for a telephone
4 consultation with a covered patient if that employee benefit plan
5 or health insurance policy allows any other person to charge for
6 telephone consultations with covered patients;

7 (2) deny payment to a physician for a medically
8 necessary telephone consultation with a covered patient if that
9 employee benefit plan or health insurance policy pays any other
10 person for telephone consultations with covered patients; or

11 (3) discriminate against physicians in determining
12 payment amounts for medically necessary telephone consultations
13 provided to covered patients if that employee benefit plan or
14 health insurance policy pays any other person for telephone
15 consultations with covered patients.

16 (b) Nothing in this Section shall be construed as
17 prohibiting an employee benefit plan or health insurance policy
18 from paying a physician for medically necessary telephone
19 consultations.

20 SECTION 2. This Act takes effect September 1, 2013.