

By: Workman

H.B. No. 3280

A BILL TO BE ENTITLED

AN ACT

relating to payments to health care providers when a claim is denied under the workers' compensation system.

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

SECTION 1. Section 413.042(a), Labor Code, is amended to read as follows:

(a) A health care provider may not pursue a private claim against a workers' compensation claimant for all or part of the cost of a health care service provided to the claimant by the provider unless:

(1) the injury is finally adjudicated not compensable under this subtitle or the employee fails to request a benefit review conference to dispute the insurance carrier's denial of compensability under Chapter 410 before the 46th day after the date of receipt of the denial; or

(2) the employee violates Section 408.022 relating to the selection of a doctor and the doctor did not know of the violation at the time the services were rendered.

SECTION 2. The change in law made by this Act applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of this Act. A claim based on a compensable injury that occurs before that date is governed by the law in effect on the date the compensable injury occurred, and the former law is continued in

1 effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2013.