

By: Zedler

H.B. No. 180

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of certain information following the completion of a review conducted by a utilization review agent or an independent review organization.

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

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

(h) Notwithstanding Section 4202.009(a), following the completion of an independent review requested under Subsection (a), on written request to the independent review organization, a party to the reviewed medical dispute is entitled to the name and professional qualifications of any doctor or other health care practitioner used to perform the independent review.

SECTION 2. Section 4201.557, Insurance Code, is amended to read as follows:

Sec. 4201.557. REQUIREMENT TO MAINTAIN DATA IN CONFIDENTIAL MANNER. (a) Except as provided by Subsection (b), a [A] utilization review agent shall maintain all data concerning a patient or physician or other health care provider in a confidential manner that prevents unauthorized disclosure to a third party.

(b) Following the completion of a utilization review determination, on written request to the utilization review agent, a patient, or a patient's representative, is entitled to the name



1 and professional qualifications of any physician or other  
2 individual health care provider who made the utilization review  
3 determination.

4 SECTION 3. Section 4202.009, Insurance Code, is amended to  
5 read as follows:

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

11 (b) Following the completion of an independent review  
12 determination, on written request to the independent review  
13 organization, a patient, as defined by Section 4201.002, or the  
14 patient's representative, is entitled to the name and professional  
15 qualifications of any physician or other individual health care  
16 provider who made the independent review determination.

17 SECTION 4. The change in law made by this Act applies only  
18 to a determination made by a utilization review agent or an  
19 independent review organization with reference to a review that was  
20 requested on or after the effective date of this Act. A  
21 determination made by a utilization review agent or an independent  
22 review organization with reference to a review that was requested  
23 before the effective date of this Act is governed by the law in  
24 effect immediately before the effective date of this Act, and that  
25 law is continued in effect for that purpose.

26 SECTION 5. This Act takes effect September 1, 2015.