

By: Guillen

H.B. No. 2927

A BILL TO BE ENTITLED

AN ACT

relating to alternative dispute resolution of certain insurance payment disputes with certain physicians and health care providers.

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

SECTION 1. Subchapter D, Chapter 1952, Insurance Code, is amended by adding Section 1952.1561 to read as follows:

Sec. 1952.1561. PAYMENT DISPUTES. (a) In this section:

(1) "Health care provider" means a practitioner, institutional provider, or other person or organization that furnishes health care services and that is licensed or otherwise authorized to practice in this state. The term includes a pharmacist and a pharmacy. The term does not include a physician.

(2) "Health care services" means services provided to an individual to prevent, alleviate, cure, or heal human illness or injury. The term includes:

(A) pharmaceutical care;

(B) medical, chiropractic, or dental care;

(C) hospitalization; and

(D) services incidental to the health care services described by Paragraphs (A)-(C).

(3) "Pharmaceutical care," "pharmacist," "pharmacy," and "prescription drug" have the meanings assigned by Section 551.003, Occupations Code.

(4) "Physician" means a person licensed to practice

1 medicine in this state.

2 (b) An insurer may not bring an action against a physician  
3 or health care provider related to a payment made under Section  
4 1952.156 for health care services or prescription drugs unless not  
5 later than one year after the date of service the insurer has  
6 offered or agreed to submit the dispute with the physician or health  
7 care provider to an alternative dispute resolution process and the  
8 physician or health care provider refuses to participate in the  
9 process or the process fails to resolve the dispute.

10 (c) The statute of limitations applicable to a cause of  
11 action arising out of the dispute is tolled beginning on the date  
12 the dispute arises and ending on the earlier of the date the  
13 alternative dispute resolution process is completed or the date the  
14 physician or health care provider refuses to participate in the  
15 process or the process fails.

16 SECTION 2. This Act applies only to an insurance policy that  
17 is delivered, issued for delivery, or renewed on or after January 1,  
18 2016. A policy delivered, issued for delivery, or renewed before  
19 January 1, 2016, is governed by the law as it existed immediately  
20 before the effective date of this Act, and that law is continued in  
21 effect for that purpose.

22 SECTION 3. This Act takes effect September 1, 2015.