

By: Coleman

H.B. No. 3006

A BILL TO BE ENTITLED

1 AN ACT
2 Relating to certain penalties paid to the Texas Health Insurance
3 Risk Pool.

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

5 SECTION 1. Section 843.342(m), Insurance Code, is amended
6 to read as follows:

7 (m) Notwithstanding any other provision of this section,
8 this subsection governs the payment of a penalty under this
9 section. For a penalty under this section relating to a clean claim
10 submitted by a physician or provider other than an institutional
11 provider, the health maintenance organization shall pay the entire
12 penalty to the physician or provider, except for any interest
13 computed under Subsection (c), which shall be paid to the Texas
14 Health Insurance Risk Pool. [~~For a penalty under this section~~
15 ~~relating to a clean claim submitted by an institutional provider,~~
16 ~~the health maintenance organization shall pay 50 percent of the~~
17 ~~total penalty amount computed under this section, including~~
18 ~~interest, to the institutional provider and the remaining 50~~
19 ~~percent of that amount to the Texas Health Insurance Risk Pool.]~~

20 SECTION 2. Section 1301.137(1), Insurance Code, is amended
21 to read as follows:

22 (1) Notwithstanding any other provision of this section,
23 this subsection governs the payment of a penalty under this
24 section. For a penalty under this section relating to a clean claim

1 submitted by a preferred provider other than an institutional
2 provider, the insurer shall pay the entire penalty to the preferred
3 provider, except for any interest computed under Subsection (c),
4 which shall be paid to the Texas Health Insurance Risk Pool. [~~For a~~
5 ~~penalty under this section relating to a clean claim submitted by an~~
6 ~~institutional provider, the insurer shall pay 50 percent of the~~
7 ~~penalty amount computed under this section, including interest, to~~
8 ~~the institutional provider and the remaining 50 percent of that~~
9 ~~amount to the Texas Health Insurance Risk Pool.~~]

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect on September 1, 2015.

15 SECTION 4. The importance of this legislation and the
16 crowded condition of the calendars in both houses create an
17 emergency and an imperative public necessity that the
18 constitutional rule requiring bills to be read on three separate
19 days in each house be suspended, and this rule hereby suspended, and
20 that this act take effect and be in force from and after its
21 passage, and it so enacted.