

By: Gooden

H.B. No. 3124

A BILL TO BE ENTITLED

AN ACT

relating to the release of certain physician-specific comparison data to physicians participating in health benefit plan networks.

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

SECTION 1. Section 1460.001, Insurance Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Participating physician" means a physician who contracts with a health benefit plan issuer to provide medical care or health care to enrollees in a health benefit plan.

SECTION 2. Section 1460.003, Insurance Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) Subsection (a) does not apply to physician-specific cost comparison information released by a health benefit plan issuer to a participating physician whose payment by the health benefit plan issuer is based partly on costs of other providers that are attributed by the health benefit plan issuer to the participating physician if:

(1) the measures and methodology used in developing the cost comparison information are transparent and valid; and

(2) the health benefit plan issuer provides a participating physician at the request of the participating physician:

(A) the cost comparison information for the participating physician; and

1 (B) a fair opportunity, at least twice per
2 calendar year, to dispute the cost comparison information
3 associated with the participating physician.

4 (d) A participating physician who receives cost comparison
5 information described by Subsection (c) associated with another
6 physician may not disclose the information to any other person,
7 except for the purpose of:

8 (1) managing the participating physician's business,
9 patient population, or referral decisions; or

10 (2) obtaining legal advice regarding a dispute by the
11 participating physician under this section.

12 SECTION 3. The change in law made by this Act applies only
13 to a contract between a physician and a health benefit plan issuer
14 entered into or renewed on or after January 1, 2018. A contract
15 between a physician and health benefit plan issuer entered into or
16 renewed before January 1, 2018, is governed by the law as it existed
17 immediately before that date, and that law is continued in effect
18 for that purpose.

19 SECTION 4. This Act takes effect September 1, 2017.