

By: Oliverson

H.B. No. 3546

A BILL TO BE ENTITLED

AN ACT

relating to out-of-pocket expense credits for payments made by a policyholder directly to a physician or health care provider.

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

SECTION 1. Subchapter C-1, Chapter 1301, Insurance Code, is amended by adding Section 1301.140 to read as follows:

Sec. 1301.140. OUT-OF-POCKET EXPENSE CREDIT. (a) An insurer shall credit toward an insured's deductible and annual maximum out-of-pocket expenses an amount the insured pays directly to any physician or health care provider for a covered medical or health care service if a claim for the service is not submitted to the insurer and the amount paid by the insured to the physician or health care provider is less than the average discounted rate for the service paid to an equivalently licensed or authorized preferred provider under the insured's preferred provider benefit plan.

(b) An insurer shall:

(1) establish a procedure by which an insured may claim a credit under Subsection (a); and

(2) identify documentation necessary to support a claim for a credit under Subsection (a).

(c) Information about the procedure and documentation described by Subsection (b) must be readily accessible to an insured on the insurer's Internet website.

1           SECTION 2. Section 1301.140, Insurance Code, as added by  
2 this Act, applies only to a health benefit plan that is delivered,  
3 issued for delivery, or renewed on or after January 1, 2018. A  
4 health benefit plan delivered, issued for delivery, or renewed  
5 before January 1, 2018, is governed by the law as it existed  
6 immediately before the effective date of this Act, and that law is  
7 continued in effect for that purpose.

8           SECTION 3. This Act takes effect September 1, 2017.