

BILL ANALYSIS

C.S.H.B. 2408
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Insurance
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that preauthorization for certain procedures, supplies, tests, and self-management training that certain health plans must cover is an unnecessary barrier to patient care and a misuse of the time a physician or other health care provider could otherwise spend with patients. C.S.H.B. 2408 seeks to address this issue by prohibiting a health benefit plan issuer from requiring preauthorization of certain benefits.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2408 amends the Insurance Code to prohibit a health benefit plan issuer from requiring preauthorization of certain screenings, reconstructions, surgeries, prostheses, treatments, inpatient care, supplies, equipment, self-management training, bone mass measurements, and diagnostic examinations, as applicable, under the coverages provided by the issuer for the following:

- mammography;
- mastectomy;
- hospital stays following a mastectomy and breast cancer treatment;
- diabetes equipment, supplies, and self-management training;
- certain procedures for the detection and prevention of osteoporosis;
- certain examinations and tests for the detection of prostate cancer; and
- certain tests for the detection of colorectal cancer.

C.S.H.B. 2408 prohibits the bill's provisions from being construed to authorize a physician or other health care provider to provide such medical or health care if providing the care is outside the scope of the individual's applicable license.

C.S.H.B. 2408 applies only to a health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2408 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute clarifies the bill's prohibitions with respect to the scope of a physician's or other health care provider's license.