

BILL ANALYSIS

C.S.H.B. 3041
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Insurance
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that the current prior authorization renewal process for ongoing medically necessary treatment is overly burdensome and can lead to possible negative health outcomes for individuals who, due to the time-consuming nature of the renewal process, miss critical medical treatment. C.S.H.B. 3041 seeks to address this issue by requiring health benefit plans to provide a preauthorization process that allows a renewal of an existing prior authorization to be requested at least 60 days before the date the prior authorization expires.

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. 3041 amends the Insurance Code to require a health benefit plan issuer that requires preauthorization as a condition of payment for a medical or health care service to provide a preauthorization renewal process that allows a renewal of an existing preauthorization to be requested at least 60 days before the date the preauthorization expires. The bill requires an issuer that receives a preauthorization renewal request before the existing preauthorization expires to review the request and issue a determination indicating whether the medical or health care service is preauthorized before the existing preauthorization expires, if practicable. The bill establishes the applicability of its provisions. The bill 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. 3041 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 revises the requirement that the renewal process allow an enrollee to request renewal by removing the specification that the enrollee is the sole requestor of the renewal.