86R24398 JES-D

By:  J. Johnson of Dallas, Oliverson, et al. H.B. No. 2632

Substitute the following for H.B. No. 2632:

By:  Lucio III C.S.H.B. No. 2632

A BILL TO BE ENTITLED

AN ACT

relating to notice by certain managed care entities of changes related to reimbursements applicable to certain physicians and health care providers.

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

SECTION 1.  Section 843.321, Insurance Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  A health maintenance organization or health maintenance organization's agent that provides a notice under Subsection (a)(3) must provide the notice to a physician or provider, including a licensed clinical social worker, in a manner that is trackable and indicates the date and time the notice was sent, including:

(1)  by certified mail, return receipt requested, to the physician's or provider's address; or

(2)  by e-mail to an e-mail address specified by the physician or provider.

SECTION 2.  Section 1301.136, Insurance Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  An insurer or insurer's agent that provides a notice under Subsection (a)(3) must provide the notice to a preferred provider, including a licensed clinical social worker, in a manner that is trackable and indicates the date and time the notice was sent, including:

(1)  by certified mail, return receipt requested, to the preferred provider's address; or

(2)  by e-mail to an e-mail address specified by the preferred provider.

SECTION 3.  The heading to Chapter 1453, Insurance Code, is amended to read as follows:

CHAPTER 1453. DISCLOSURE OF REIMBURSEMENT GUIDELINES AND AMOUNTS UNDER MANAGED CARE PLAN

SECTION 4.  Section 1453.001(1), Insurance Code, is amended to read as follows:

(1)  "Health care provider" means:

(A)  a hospital, emergency clinic, outpatient clinic, or other facility providing health care services; or

(B)  an individual who is licensed in this state to provide health care services, including a physician who is licensed to practice medicine in this state.

SECTION 5.  Chapter 1453, Insurance Code, is amended by adding Section 1453.004 to read as follows:

Sec. 1453.004.  NOTICE OF CHANGE TO REIMBURSEMENT AMOUNT. (a) A managed care entity shall provide to each health care provider, including a licensed clinical social worker, under contract with the managed care entity notice of any change to a reimbursement amount that will be paid to the health care provider for a good or service provided by the health care provider. The notice must be provided before the effective date of the change.

(b)  The notice required by this section must be sent:

(1)  directly to each health care provider that may be affected by the reimbursement amount change; and

(2)  in a manner that is trackable and indicates the date and time the notice was sent, including:

(A)  by certified mail, return receipt requested, to the provider's address; or

(B)  by e-mail to an e-mail address specified by the provider.

SECTION 6.  This Act takes effect September 1, 2019.