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By:  Bowers H.B. No. 3178

A BILL TO BE ENTITLED

AN ACT

relating to an interim house study regarding retrospective denial by health benefit plans of health benefit claims for emergency care.

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

SECTION 1.  HOUSE COMMITTEE. (a) A standing committee of the house of representatives shall study and report to the speaker and members of the house of representatives regarding the practice of retrospective denial by health benefit plans of health benefit claims for emergency care.

(b)  Not later than the 60th day after the effective date of this Act, the speaker of the house of representatives shall appoint an appropriate committee from the standing committees of the house of representatives to conduct the study and prepare the report required by Subsection (a) of this section.

SECTION 2.  STUDY. The committee selected under Section 1 of this Act shall, with respect to the practice of retrospective denial by health benefit plans of health benefit claims for emergency care, study:

(1)  the formal and informal policies of health benefit plans under which claims for emergency care are denied after the care has been provided to a covered person;

(2)  the effect the retrospective denial practice has on whether residents of this state seek emergency care;

(3)  patient expectations about health benefits that may be available when seeking emergency care;

(4)  the conflict between the application of the retrospective denial practice and the prudent layperson standard adopted in this state with respect to emergency care; and

(5)  the effect the retrospective denial practice has on medical debt incurred by residents of this state.

SECTION 3.  REPORT. Not later than January 1, 2021, the committee selected under Section 1 of this Act shall report the committee's findings and recommendations to the speaker and members of the house of representatives. The committee shall include in the recommendations specific statutory changes, including any changes necessary to Title 8, Insurance Code, that may appear necessary or advisable from the committee's study conducted under Section 2 of this Act.

SECTION 4.  EXPIRATION. This Act expires September 1, 2021.

SECTION 5.  EFFECTIVE DATE. This Act takes effect September 1, 2019.