By:  Hancock S.B. No. 935

(In the Senate - Filed February 21, 2019; March 1, 2019, read first time and referred to Committee on Business & Commerce; March 25, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; March 25, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Hancock              X

Nichols              X

Campbell             X

Creighton            X

Menéndez             X

Paxton               X

Schwertner           X

Whitmire             X

Zaffirini            X

COMMITTEE SUBSTITUTE FOR S.B. No. 935 By:  Hancock

A BILL TO BE ENTITLED

AN ACT

relating to reimbursement of federal military treatment facilities under the workers' compensation system.

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

SECTION 1.  Subchapter B, Chapter 413, Labor Code, is amended by adding Section 413.0112 to read as follows:

Sec. 413.0112.  REIMBURSEMENT OF FEDERAL MILITARY TREATMENT FACILITY. (a)  In this section, "federal military treatment facility" means a medical facility that operates as part of the Military Health System of the United States Department of Defense.

(b)  The reimbursement rates for medical services provided to an injured employee by a federal military treatment facility must be the amount charged by the facility as determined under 32 C.F.R. Part 220.

(c)  Chapter 1305, Insurance Code, and the following sections of this code do not apply to the reimbursement of a federal military treatment facility's charges for medical services provided to an injured employee:

(1)  Sections 408.027(a) and (f);

(2)  Section 408.0271;

(3)  Section 408.0272;

(4)  Section 408.028;

(5)  Section 408.0281;

(6)  Section 413.011;

(7)  Section 413.014;

(8)  Section 413.031, as that section relates to medical fee disputes;

(9)  Section 413.041; and

(10)  Section 504.053.

(d)  The commissioner shall adopt rules necessary to implement this section, including rules establishing:

(1)  requirements for processing medical bills for services provided to an injured employee by a federal military treatment facility; and

(2)  a separate medical dispute resolution process to resolve disputes over charges billed directly to an injured employee by a federal military treatment facility.

SECTION 2.  The commissioner of workers' compensation shall adopt rules as required by Section 413.0112, Labor Code, as added by this Act, not later than December 1, 2019.

SECTION 3.  The change in law made by this Act applies only to health care services provided on or after January 1, 2020, in conjunction with a claim for workers' compensation benefits, regardless of the date on which the compensable injury that is the basis of the claim occurred.

SECTION 4.  This Act takes effect September 1, 2019.

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