By: Moody

H.B. No. 1914

A BILL TO BE ENTITLED 1 AN ACT 2 relating to prompt payment of claims to certain physicians and health care providers. 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 4 5 SECTION 1. Section 843.351, Insurance Code, is amended to read as follows: 6 Sec. 843.351. SERVICES PROVIDED BY CERTAIN PHYSICIANS AND 7 8 PROVIDERS. (a) The provisions of this subchapter relating to prompt 9 payment by a health maintenance organization of a physician or provider, including Section 843.342, and to verification of health 10 11 care services apply to a physician or provider who: 12 (1) is not included in the health maintenance organization delivery network; and 13 14 (2) provides to an enrollee: 15 (A) care related to an emergency or its attendant 16 episode of care as required by state or federal law; or specialty or other health care services at 17 (B) the request of the health maintenance organization or a physician 18 or provider who is included in the health maintenance organization 19 20 delivery network because the services are not reasonably available 21 within the network. 22 (b) For purposes of calculating a penalty under Section 23 843.342 related to a claim by a physician or provider described by Subsection (a), the contracted rate for the health care service 24

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H.B. No. 1914

provided by the physician or provider is the usual and customary 1 rate for the service in the geographic area in which the service is 2 3 provided. 4 SECTION 2. Section 1301.069, Insurance Code, is amended to 5 read as follows: 6 Sec. 1301.069. SERVICES PROVIDED BY CERTAIN PHYSICIANS AND 7 HEALTH CARE PROVIDERS. (a) The provisions of this chapter relating 8 to prompt payment by an insurer of a physician or health care

9 provider<u>, including Section 1301.137</u>, and to verification of 10 medical care or health care services apply to a physician or 11 provider who:

12 (1) is not a preferred provider included in the13 preferred provider network; and

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(2) provides to an insured:

(A) care related to an emergency or its attendant
episode of care as required by state or federal law; or

(B) specialty or other medical care or health care services at the request of the insurer or a preferred provider because the services are not reasonably available from a preferred provider who is included in the preferred delivery network.

(b) For purposes of calculating a penalty under Section 1301.137 related to a claim by a physician or health care provider described by Subsection (a) or Section 1301.0053, the contracted rate for the health care service provided by the physician or provider is the usual and customary rate for the service in the geographic area in which the service is provided.

27 SECTION 3. Sections 843.351 and 1301.069, Insurance Code,

H.B. No. 1914

as amended by this Act, apply only to a claim filed on or after the
 effective date of this Act.

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