

By: Vo

H.B. No. 2142

A BILL TO BE ENTITLED

AN ACT

relating to preauthorization requirements and examinations of certain health benefit plan issuers.

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

SECTION 1. Section 843.154(f), Insurance Code, is amended to read as follows:

(f) A health maintenance organization shall pay to the commissioner a fee in an amount assessed by the commissioner and paid in accordance with rules adopted by the commissioner for the expenses of an examination under Section 843.156~~[(a)]~~ that:

(1) are incurred by the commissioner or under the commissioner's authority; and

(2) are directly attributable to that examination, including the actual salaries and expenses of the examiners directly attributable to that examination, as determined under rules adopted by the commissioner.

SECTION 2. Section 843.156, Insurance Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The commissioner shall examine a health maintenance organization that uses a preauthorization process for health care services to determine the health maintenance organization's compliance with applicable requirements of this Code related to preauthorization, including requirements in this chapter, Chapter 1222, Chapter 1369, and Chapter 4201. A health maintenance

1 organization is subject to an examination by the commissioner under
2 this subsection at least once every year and whenever the
3 commissioner considers an examination necessary. Documentation
4 provided to the commissioner during an examination conducted under
5 this subsection is confidential and is not subject to disclosure as
6 public information under Chapter 552, Government Code.

7 SECTION 3. Section 1301.0056, Insurance Code, is amended by
8 adding Subsection (a-1) to read as follows:

9 (a-1) The commissioner shall examine an insurer that uses a
10 preauthorization process for medical care or health care services
11 to determine the insurer's compliance with applicable requirements
12 of this Code related to preauthorization, including requirements in
13 this chapter, Chapter 1222, Chapter 1369, and Chapter 4201. A
14 insurer is subject to an examination by the commissioner under this
15 subsection at least once every year and whenever the commissioner
16 considers an examination necessary.

17 SECTION 4. This Act takes effect September 1, 2021.