

By: Kolkhorst

S.B. No. 1135

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a statewide all payor claims database to store publicly accessible information.

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

SECTION 1. Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 108A to read as follows:

CHAPTER 108A. STATEWIDE ALL PAYOR CLAIMS DATABASE

Sec. 108A.001. DEFINITIONS. In this chapter:

(1) "Center" means the Center for Healthcare Data at The University of Texas Health Science Center at Houston.

(2) "Database" means the statewide all payor claims database established under this chapter.

(3) "Payor" means an insurance company, a health maintenance organization, a Medicaid managed care organization, or another organization that pays a health care provider to provide health care benefits to a patient.

Sec. 108A.002. ESTABLISHMENT AND ADMINISTRATION OF STATEWIDE ALL PAYOR CLAIMS DATABASE. (a) The department shall collaborate with and leverage the existing resources and infrastructure of the center to establish a statewide all payor claims database to collect, process, and store health care claims information.

(b) The center shall serve as the administrator of the database and manage information submitted for inclusion in the

1 database. In determining the information a payor is required to
2 submit to the center, the center must consider requiring inclusion
3 of information useful to researchers and policymakers for improving
4 health care quality and outcomes and lowering health care costs and
5 information useful to consumers for price transparency. The
6 required information at a minimum must include:

7 (1) the name of the health care provider paid by the
8 payor;

9 (2) the type of health care benefits provided by the
10 health care provider;

11 (3) the amount paid by the payor for the health care
12 benefits; and

13 (4) the estimated copayment amount paid by the patient
14 who received the health care benefits.

15 (c) Each payor annually shall submit to the center for
16 inclusion in the database the health care claims information
17 required by the center under Subsection (b) for all health care
18 benefits paid by the payor during the preceding year.

19 (d) The center shall ensure that health care claims
20 information submitted to the center under Subsection (c) is stored
21 in the database and accessible to the public in the manner described
22 by Section 108A.003.

23 Sec. 108A.003. PUBLIC ACCESS TO DATABASE. (a) The center
24 shall aggregate information submitted to or stored in the database
25 in an open-source format that is machine-readable and allows the
26 public to easily access and navigate the information.

27 (b) The database must be accessible through the center's

1 Internet website and allow the public to search the information in
2 the database at a minimum by the categories described by Section
3 108A.002(b).

4 (c) The center shall ensure information in the database that
5 is accessible to the public does not disclose a patient's
6 personally identifiable information or information that is
7 confidential under state or federal law.

8 Sec. 108A.004. MEMORANDUM OF UNDERSTANDING; RULES. The
9 executive commissioner on behalf of the department, the Texas
10 Higher Education Coordinating Board on behalf of the center, and
11 the commissioner of insurance on behalf of the Texas Department of
12 Insurance shall each by rule adopt a memorandum of understanding
13 that:

14 (1) ensures the database is operated and maintained in
15 accordance with this chapter;

16 (2) as applicable, defines each agency's
17 responsibilities with respect to payors that are:

18 (A) required to submit health care claims
19 information to the database; and

20 (B) under the jurisdiction of the agency; and

21 (3) identifies and establishes enforcement mechanisms
22 for each agency to ensure:

23 (A) the center, in collaboration with the
24 department, operates and maintains the database in accordance with
25 this chapter; and

26 (B) payors under the jurisdiction of the agency
27 submit the required health care claims information to the database

1 in accordance with this chapter.

2 SECTION 2. As soon as practicable after the effective date
3 of this Act, the executive commissioner of the Health and Human
4 Services Commission, the Texas Higher Education Coordinating
5 Board, and the commissioner of insurance shall adopt rules
6 necessary to implement Chapter 108A, Health and Safety Code, as
7 added by this Act.

8 SECTION 3. If before implementing any provision of this Act
9 a state agency determines that a waiver or authorization from a
10 federal agency is necessary for implementation of that provision,
11 the agency affected by the provision shall request the waiver or
12 authorization and may delay implementing that provision until the
13 waiver or authorization is granted.

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