

BILL ANALYSIS

C.S.S.B. 1051
By: Hughes
Insurance
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The coordination of health care benefits is necessary so that dual plans that provide health care coverage for a patient may determine their respective payment responsibility. Currently, the five major health insurance carriers in Texas have unique questionnaires asking for the same or similar information. This can cause errors when coordinating with the various forms of different carriers and plans. Such errors have resulted in patients in Texas receiving a surprise bill. C.S.S.B. 1051 seeks to address this issue by requiring the commissioner of insurance to adopt rules establishing a uniform coordination of benefits questionnaire to be used by all health benefit plan issuers in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of insurance in SECTION 1 of this bill.

ANALYSIS

C.S.S.B. 1051 amends the Insurance Code to require the commissioner of insurance, not later than January 1, 2024, and in collaboration with appropriate stakeholders, to adopt rules establishing a uniform coordination of benefits questionnaire to be used by all health benefit plan issuers in Texas. The bill requires each health benefit plan issuer that issues a health benefit plan that includes a coordination of benefits provision to use the uniform coordination of benefits questionnaire and make the questionnaire available to health care providers as appropriate. The bill specifies the types of plans to which its provisions apply and establishes that its provisions apply only to the use of a coordination of benefits questionnaire on or after February 1, 2024.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1051 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute omits a provision from the engrossed that made the bill's provisions applicable to nonprofit agricultural organization health benefits offered by a nonprofit agricultural organization.