

By: Paul

H.B. No. 3042

A BILL TO BE ENTITLED

AN ACT

relating to laboratory claim integrity programs for health benefit plans.

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

SECTION 1. Subtitle A, Title 8, Insurance Code, is amended by adding Chapter 1224 to read as follows:

CHAPTER 1224. LABORATORY CLAIM INTEGRITY PROGRAMS

Sec. 1224.001. DEFINITIONS. In this chapter:

(1) "Clinical laboratory test" means the examination of a sample of biological material taken from a human body ordered by a physician or health care provider for use in the diagnosis, prevention, or treatment of a disease or the identification or assessment of a medical or physical condition.

(2) "Enrollee" means an individual enrolled in a health benefit plan.

(3) "Health benefit plan issuer" means an entity authorized under this code or another insurance law of this state to provide benefits for health care services, including:

(A) an insurance company;

(B) a group hospital service corporation operating under Chapter 842;

(C) a health maintenance organization operating under Chapter 843;

(D) an approved nonprofit health corporation

1 that holds a certificate of authority under Chapter 844;

2 (E) a multiple employer welfare arrangement that  
3 holds a certificate of authority under Chapter 846; or

4 (F) a fraternal benefit society operating under  
5 Chapter 885.

6 (4) "Laboratory claim integrity program" means a claim  
7 editing program that identifies wasteful clinical laboratory tests  
8 based on the health benefit plan's clinical laboratory testing  
9 reimbursement policies.

10 (5) "Person" means an individual, corporation, trust,  
11 partnership, association, or any other legal entity.

12 Sec. 1224.002. REGISTRATION FOR PERSON PROVIDING  
13 LABORATORY CLAIM INTEGRITY PROGRAM. (a) A person shall register  
14 with the department before providing a laboratory claim integrity  
15 program in this state. The registration is valid for three years and  
16 may be renewed.

17 (b) The commissioner shall promulgate a form to be submitted  
18 under this section for the initial registration and renewal of a  
19 registration. The form for initial registration must include:

20 (1) the name, address, telephone number, and e-mail  
21 address of the applicant;

22 (2) the name and address of an agent for service of  
23 process in this state; and

24 (3) a summary of the laboratory claim integrity  
25 program.

26 (c) Upon request by the commissioner, a person registered  
27 under this section shall identify each health benefit plan issuer

1 who has contracted with the person for the provision of a laboratory  
2 claim integrity program.

3 Sec. 1224.003. EXEMPTIONS. (a) This chapter does not  
4 require registration as a person providing a laboratory claim  
5 integrity program by:

6 (1) a health benefit plan issuer; or

7 (2) a utilization review agent that has been issued a  
8 certificate of registration under Chapter 4201.

9 (b) The activities of a laboratory claim integrity program  
10 are exempt from the requirements of Chapter 4201.

11 Sec. 1224.004. REQUIREMENTS FOR LABORATORY CLAIM INTEGRITY  
12 PROGRAMS. (a) A laboratory claim integrity program shall:

13 (1) apply only objective, evidence-based, and  
14 population-based clinical laboratory testing reimbursement  
15 policies; and

16 (2) include a summary of the program or an electronic  
17 link to a summary of the program on its public Internet website.

18 (b) A laboratory claim integrity program may not:

19 (1) require the use of clinical decision support  
20 software by an enrollee's physician or health care provider before  
21 the physician or provider orders a clinical laboratory test for the  
22 enrollee;

23 (2) restrict, limit, or influence a clinical  
24 laboratory test provider's choice of electronic health record  
25 software, electronic medical record software, or practice  
26 management software;

27 (3) restrict, limit, or influence a clinical

1 laboratory test provider's choice of third-party claim-filing  
2 service, billing service, or electronic data interchange  
3 clearinghouse company;

4 (4) disclose an enrollee's protected health  
5 information unless the disclosure is authorized by the enrollee or  
6 the enrollee's authorized representative or is permitted without  
7 authorization under the Health Insurance Portability and  
8 Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) or  
9 under Section 602.053; or

10 (5) hold a delegation from a health benefit plan  
11 issuer to make claim determinations.

12 Sec. 1224.005. PROGRAM ACTIONS NOT ADVERSE DETERMINATION.  
13 A denial or reduction in payment of a claim that is identified by a  
14 laboratory claim integrity program as not meeting the requirements  
15 of an applicable health benefit plan clinical laboratory testing  
16 reimbursement policy is not an adverse determination for purposes  
17 of Chapter 4201.

18 SECTION 2. Chapter 1224, Insurance Code, as added by this  
19 Act, applies only to a laboratory claim integrity program contract  
20 that is entered into or renewed on or after January 1, 2026.

21 SECTION 3. This Act takes effect September 1, 2025.