

By: Hughes

S.B. No. 1090

A BILL TO BE ENTITLED

AN ACT

relating to bundling and down-coding practices conducted by certain providers of dental benefits.

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

SECTION 1. Subchapter E, Chapter 1451, Insurance Code, is amended by adding Section 1451.210 to read as follows:

Sec. 1451.210. LIMITATION ON BUNDLING AND DOWN-CODING. (a)

In this section:

(1) "Bundling" means the practice of combining distinct medical or dental procedures or components of a more extensive procedure into one procedure for billing purposes. The term does not include the denial or adjustment of claims for covered services in accordance with the patient's dental benefits.

(2) "Down-coding" means the adjustment by a provider or issuer of an employee benefit plan or health insurance policy of a submitted claim to reflect a less complex or lower-cost procedure code. The term does not include the adjustment of payment for procedures that were improperly or inaccurately billed, or the denial or adjustment of claims for covered services in accordance with the patient's dental benefits.

(b) A provider or issuer of an employee benefit plan or health insurance policy may not change a dentist's submitted procedure codes through down-coding or bundling unless the provider or issuer undertakes a professional review of the submitted charges

1 and supporting clinical information and determines that the
2 original coding was incorrect, fragmented, or unbundled:

3 (1) as provided in the current Code on Dental
4 Procedures and Nomenclature; or

5 (2) consistent with generally acceptable standards of
6 care in the practice of dentistry.

7 SECTION 2. Section 1451.210, Insurance Code, as added by
8 this Act, applies only to an employee benefit plan for a plan year
9 that commences on or after January 1, 2026, or a health insurance
10 policy delivered, issued for delivery, or renewed on or after
11 January 1, 2026, and any provider network contract entered into on
12 or after the effective date of this Act in connection with one of
13 those plans or policies.

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