By: Garcia Hernandez H.B. No. 469

A BILL TO BE ENTITLED

AN ACT

relating to telephone access for certain health benefit plan verifications and preauthorization requests and for utilization review requests.

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

SECTION 1. Section 843.347(c), Insurance Code, is amended to read as follows:

(c) A health maintenance organization shall have appropriate personnel reasonably available at a toll-free telephone number to provide a verification under this section 24 hours a day, seven days a week, including [~~between 6 a.m. and 6 p.m. central time Monday through Friday on each day that is not a legal holiday and between 9 a.m. and noon central time on Saturday, Sunday, and~~] legal holidays. A health maintenance organization must:

(1) have a telephone system capable of accepting or recording incoming phone calls for verifications during any period in which personnel are not available due to circumstances beyond the health maintenance organization's reasonable control; [~~after 6 p.m. central time Monday through Friday and after noon central time on Saturday, Sunday, and legal holidays~~] and

(2) respond [~~responding~~] to each of those calls as soon as possible but not later than two hours after [~~on or before the second calendar day after the date~~] the call is received.

SECTION 2. Section 843.348(f), Insurance Code, is amended to read as follows:

(f) A health maintenance organization shall have appropriate personnel reasonably available at a toll-free telephone number to respond to requests for a preauthorization 24 hours a day, seven days a week, including [~~between 6 a.m. and 6 p.m. central time Monday through Friday on each day that is not a legal holiday and between 9 a.m. and noon central time on Saturday, Sunday, and~~] legal holidays. A health maintenance organization must:

(1) have a telephone system capable of accepting or recording incoming phone calls for preauthorizations during any period in which personnel are not available due to circumstances beyond the health maintenance organization's reasonable control; [~~after 6 p.m. central time Monday through Friday and after noon central time on Saturday, Sunday, and legal holidays~~] and

(2) respond [~~responding~~] to each of those calls as soon as possible but not later than two [~~24~~] hours after the call is received.

SECTION 3. Section 1301.133(c), Insurance Code, is amended to read as follows:

(c) An insurer shall have appropriate personnel reasonably available at a toll-free telephone number to provide a verification under this section 24 hours a day, seven days a week, including [~~between 6 a.m. and 6 p.m. central time Monday through Friday on each day that is not a legal holiday and between 9 a.m. and noon central time on Saturday, Sunday, and~~] legal holidays. An insurer

must:

(1) have a telephone system capable of accepting or recording incoming phone calls for verifications during any period in which personnel are not available due to circumstances beyond the insurer's reasonable control; [~~after 6 p.m. central time Monday through Friday and after noon central time on Saturday, Sunday, and legal holidays~~] and

(2) respond [~~responding~~] to each of those calls as soon as possible but not later than two hours after [~~on or before the second calendar day after the date~~] the call is received.

SECTION 4. Section 1301.135(e), Insurance Code, is amended to read as follows:

(e) An insurer shall have appropriate personnel reasonably available at a toll-free telephone number to respond to requests for a preauthorization 24 hours a day, seven days a week, including [~~between 6 a.m. and 6 p.m. central time Monday through Friday on each day that is not a legal holiday and between 9 a.m. and noon central time on Saturday, Sunday, and~~] legal holidays. An insurer must:

(1) have a telephone system capable of accepting or recording incoming phone calls for preauthorizations during any period in which personnel are not available due to circumstances beyond the insurer's reasonable control; [~~after 6 p.m. central time Monday through Friday and after noon central time on Saturday, Sunday, and legal holidays~~] and

(2) respond [~~responding~~] to each of those calls as soon as possible but not later than two [~~24~~] hours after the call is

received.

SECTION 5. Section 4201.004(a), Insurance Code, is amended to read as follows:

(a) A utilization review agent shall:

(1) have appropriate personnel reasonably available, by toll-free telephone 24 hours a day, seven days a week, including legal holidays [~~at least 40 hours per week during normal business hours in this state~~], to discuss patients' care and allow response to telephone review requests;

(2) have a telephone system capable, during any period in which personnel are not available due to circumstances beyond the utilization review agent's reasonable control [~~hours other than normal business hours~~], of accepting or recording incoming telephone calls or of providing instructions to a caller; and

(3) respond to a call made during a period described by Subdivision (2) as soon as possible but [~~hours other than normal business hours~~] not later than two hours [~~the second working day~~] after the call is received [~~later of:~~

[~~(A) the date the call was received; or~~

[~~(B) the date the details necessary to respond have been received from the caller~~].

SECTION 6. This Act takes effect September 1, 2027.