

BILL ANALYSIS

H.B. 2348
By: Price
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties report a need in Texas to improve patient access to quality, cost-effective physician services in both rural and urban areas. These parties note that telephone consultation with a physician is an affordable alternative to costly urgent care and emergency room visits and facilitates delivery of medical advice to patients after normal business hours and in remote areas of Texas where immediate medical attention may not be readily accessible. Concerns have been raised that a number of insurance companies do not compensate physicians for telephone consultation services. H.B. 2348 seeks to remove this barrier to the maximization of quality, cost-effective telephone consultation services.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2348 amends the Insurance Code to prohibit an employee benefit plan or a health benefit plan from prohibiting a physician from charging for a telephone consultation with a covered patient if that plan allows another person to charge for a telephone consultation with a covered patient; denying payment to a physician for a medically necessary telephone consultation with a covered patient if that plan pays another person for a telephone consultation with a covered patient; or discriminating against a physician in determining a payment amount for a medically necessary telephone consultation provided to a covered patient if that plan pays another person for a telephone consultation with a covered patient.

H.B. 2348 prohibits nondiscrimination in telephone consultation services from being construed as prohibiting an employee benefit plan or a health benefit plan from paying a physician for medically necessary telephone consultations or as permitting a physician to charge, or requiring an employee benefit plan or a health benefit plan to pay, for telephonic appointment scheduling, appointment reminders, or responses to billing or payment inquiries.

H.B. 2348 defines "physician" as an individual licensed to practice medicine in Texas, a professional association composed solely of such individuals, a single legal entity authorized to practice medicine in Texas that is owned by a group of such individuals, a partnership composed solely of such individuals, or a nonprofit health corporation certified by the Texas Medical Board.

H.B. 2348 applies to employee benefit plans and health benefit plans, as specified by the bill, that provide benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness that are offered by insurers, employers, programs, and organizations, as specified by the bill. The bill applies only to an employee benefit plan or a health benefit plan delivered, issued for delivery, or renewed on or after September 1, 2015.

EFFECTIVE DATE

September 1, 2015.