

BILL ANALYSIS

Senate Research Center

S.B. 1651
By: Cain
Economic Development
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As Filed

DIGEST

Currently, the Insurance Code defines the term "practitioner" and designates practitioners that may be recognized by insurers. Licensed occupational therapists and licensed physical therapists are not included in the list of recognized practitioners. This bill would include licensed occupational therapists and licensed physical therapists among those practitioners that may be recognized by insurers.

PURPOSE

As proposed, S.B. 1651 includes licensed occupational therapists and licensed physical therapists among those practitioners that may be recognized by insurers.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 3.70-2(B), Insurance Code, to require a provision of an accident or sickness policy, in designating the practitioners who will or will not be recognized, to use, among other terms, licensed occupational therapist and licensed physical therapist. Defines "licensed occupational therapist" and "licensed physical therapist."

SECTION 2. Amends Article 21.52(1), Insurance Code, by adding two appropriately lettered sections, to provide that "occupational therapist" means a person who is licensed to practice occupational therapy by the Texas Board of Occupational Examiners; and to provide that "physical therapist" means a person who practices physical therapy and is licensed by the Texas Board of Physical Therapy Examiners.

SECTION 3. Amends Article 21.52(3), Insurance Code, as amended by Chapter 429, Section 2, Acts of the 74th Legislature, 1995, to authorize any person who is issued, who is a party to, or who is a beneficiary under any health insurance policy delivered, renewed, or issued for delivery in this state by any insurance company, association, or organization to which this article applies, to select, among others, an occupational therapist to provide the health care services scheduled in the policy which fall within the scope of the license of that provider; or a physical therapist to provide the health care services in the policy which fall within the scope of the license of that provider. Prohibits the payment or reimbursement by the insurance company, association, or organization for those services or procedures in accordance with the payment schedule or the payment provisions in the policy from being denied because the same were performed by, among others, an occupational therapist or a physical therapist. Makes conforming changes.

SECTION 4. Amends Article 21.52(3), Insurance Code, as amended by Chapter 541, Section 3, Acts of the 74th Legislature, 1995, to authorize any person who is issued, who is a party to, or who is a beneficiary under any health insurance policy delivered, renewed, or issued for delivery in this state by any insurance company, association, or organization to which this article applies, to select, among others, an occupational therapist to provide the services scheduled in the policy which fall within the scope of the license of that occupational therapist; or a physical therapist to provide the services in the policy which fall within the scope of the license of that physical therapist. Makes

conforming changes.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Emergency clause.