

## **BILL ANALYSIS**

Senate Research Center

H.B. 2049  
By: Thompson (Madla)  
Economic Development  
5/10/1999  
Engrossed

### **DIGEST**

Currently, the Insurance Code limits a health insurance carrier's ability to prevent an insured person from seeking treatment from certain practitioners. Article 3.70-2(B)(Form of Policy), Insurance Code, mandates that if an accident and sickness insurer makes benefits contingent upon treatment of or examination by practitioners designated by the statute, the insurer's policy must specifically list by medical classification the included or excluded practitioners. H.B. 2049 would include a licensed acupuncturist and change references to the Licensed Hearing Aid Fitter and Dispenser to a Licensed Hearing Instrument Fitter and Dispenser.

### **PURPOSE**

As proposed, H.B. 2049 sets forth the right of a person entitled to coverage under certain health and accident insurance policies to select certain health care practitioners.

### **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 Section 2(B), Article 3.70-2, V.T.C.S., to include in the medical classifications used to designate practitioners of the healing arts that will or will not be recognized by an insurer, as follows: Licensed Hearing Instrument Fitter and Dispenser, rather than Licensed Hearing Aid Fitter Dispenser; Licensed Acupuncturist; and Licensed Hearing Instrument Fitter and Dispenser, rather than Licensed Hearing Aid Fitter and Dispenser. Defines "licensed acupuncturist."

SECTION 2. Amends Section 1, Article 21.52, Insurance Code, to redefine "licensed audiologist," "licensed speech-language pathologist," and "licensed hearing instrument fitter and dispenser." Defines "licensed acupuncturist."

SECTION 3. Amends Section 3, Article 21.52, Insurance Code, to authorize a beneficiary to select a licensed acupuncturist to perform the services or procedures scheduled in the policy that fall within the scope of the license of that practitioner. Requires conflicting provisions to be brought into compliance by the commissioner of insurance, rather than the State Board of Insurance, by the use of riders, endorsements, or revised policy forms. Makes conforming and nonsubstantive changes.

SECTION 4. Repealer: Section 3, Article 21.52, Insurance Code (Selection of practitioners).

SECTION 5. Effective date: September 1, 1999.  
Makes application of this Act prospective to January 1, 2000.

SECTION 6. Emergency clause.