

BILL ANALYSIS

Senate Research Center

H.B. 2748
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Economic Development
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Engrossed

DIGEST

Currently, state and federal laws require all newborns to be tested for certain treatable genetic and metabolic disorders. This testing is known as “well-child care from birth” and health care plans are responsible for providing payment for such examinations. Until 1998, reimbursement for Newborn Screening (NBS) for all children was the responsibility of the Texas Department of Health (TDH); however, in early 1998, TDH imposed a fee on private pay patients under a rider relating to the building of its new laboratory. H.B. 2748 would provide that NBS is part of “well-child care from birth” under federal and state law and, therefore, covered under health plans, and would authorize the Texas Department of Insurance to enforce this legislation.

PURPOSE

As proposed, H.B. 2748 sets forth provisions regarding coverage for certain care for children provided through a health maintenance organization.

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 Chapter 20A, Insurance Code (Texas Health Maintenance Organization Act), by adding Section 9E, as follows:

Sec. 9E. WELL-CHILD CARE FROM BIRTH. Defines “well-child care from birth.” Requires each health maintenance organization (HMO) to ensure that each health care plan provided by HMO includes well-child care from birth that complies with the federal requirements adopted under Chapter XI, Public Health Service Act (42 U.S.C. Section 300e et seq.), and its subsequent amendments, and the rules adopted by the Texas Department of Health (TDH) to implement those requirements.

SECTION 2. Amends Chapter 20A, Insurance Code, by adding Section 9F, as follows:

Sec. 9F. USE OF PEDIATRICIAN AS PRIMARY CARE PHYSICIAN. Authorizes a parent of a minor enrollee to choose and use any pediatrician as the minor enrollee’s primary care physician without paying an additional fee or premium, notwithstanding any other provision of this chapter. Requires the parent to notify HMO of the parent’s choice of pediatrician in the manner prescribed by the Texas Department of Insurance (TDI). Requires the notice required under this Subsection to include all information required by TDI, including the name of the pediatrician, and be signed by the parent and the pediatrician interested in serving as the minor enrollee’s primary care physician. Requires the pediatrician to meet HMO requirements for participation as a primary care physician, and be willing to coordinate all of the minor enrollee’s health care needs.

SECTION 3. Amends Section 9F, Chapter 20A, Insurance Code, to make application of this Act prospective.

SECTION 4. Emergency clause.
Effective date: upon passage.