

## **BILL ANALYSIS**

Senate Research Center  
76R11574 DB-D

C.S.S.B. 569  
By: Nelson  
Economic Development  
4/7/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, certain health benefit plans maintain reimbursement requirements for an enrollee or a health provider. In a mental health plan, for example, a company may require a representative to observe an enrollee's psychotherapy session or require the mental health provider to submit its progress notes from the session. Although Texas Department of Insurance (TDI) rules prohibit utilization review agents from using progress notes or observing therapy sessions, codification of the TDI rules would expand some prohibitions against certain mental health field practices. C.S.S.B. 569 would prohibit an insurance company representative from observing therapy sessions and prevent certain providers from being required to submit their notes as a condition of treatment approval.

### **PURPOSE**

As proposed, C.S.S.B. 569 prohibits insurance company representatives from observing therapy sessions and prevents certain providers from being required to submit their notes as a condition of reimbursement.

### **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 4, Article 21.58A, Insurance Code, by adding Subsection (o), to prohibit a utilization review agent from requiring the observation of a psychotherapy session or submission of mental health therapist's process or progress notes. Authorizes the agent to require submission of such records to demonstrate policy coverage.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Deletes proposed additions to Section 4, Article 21.58A, Insurance, regarding restrictions applicable to certain mental health services.