

BILL ANALYSIS

Senate Research Center
78R11438 AKH-D

H.B. 1163
By: Thompson (Harris)
State Affairs
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Engrossed

DIGEST AND PURPOSE

Current state law prohibits discrimination between payment provisions of a health benefit plan offered to a podiatrist and the provisions offered to any other practitioner of the healing arts. However, newly licensed practitioners who join the professional practice of a preferred provider or contracting physician are at times denied participating status by insurers or health maintenance organizations. H.B. 1163 prohibits health benefit plans from withholding preferred provider designations or from denying contracts to podiatrists who join the practice of preferred providers or contracting physicians or providers.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3(b), Article 3.70-3C, Insurance Code, as added by Chapter 1024, Acts of the 75th Legislature, Regular Session, 1997, by adding Subdivision (5), to prohibit an insurer from withholding a designation to a podiatrist described by Subsection (p) of this section.

SECTION 2. Section 3, Article 3.70-3C, Insurance Code, as added by Chapter 1024, Acts of the 75th Legislature, Regular Session, 1997, is amended by adding Subsection (p), as follows:

(p) Prohibits an insurer from withholding the designation of preferred provider to a podiatrist licensed by the Texas State Board of Podiatric Medical Examiners who joins the professional practice of a contracted preferred provider, applies to the insurer for designation as a preferred provider, and complies with the terms and conditions of eligibility to be a preferred provider. Requires a podiatrist designated as a preferred provider under this subsection to comply with the terms of the preferred provider contract used by the insurer or the insurer's network provider.

SECTION 3. Amends Section 843.303, Insurance Code, as effective June 1, 2003, by adding Subsection (c), to prohibit a health maintenance organization from denying a contract to a podiatrist described by Section 843.319.

SECTION 4. Amends Subchapter I, Chapter 843, Insurance Code, as effective June 1, 2003, by adding Section 843.319, as follows:

Sec. 843.319. CERTAIN REQUIRED CONTRACTS. Prohibits a health maintenance organization from denying a contract to a podiatrist licensed by the Texas State Board of Podiatric Medical Examiners who joins the professional practice of a contracting physician or provider, satisfies the application procedures of the health maintenance organization, and meets the qualification and credentialing requirements for contracting with the health maintenance organization.

SECTION 5. Makes application of Section 3(p), Article 3.70-3C, and Section 843.319, Insurance Code, as added by this Act, prospective.

SECTION 6. Effective date: September 1, 2003.