

BILL ANALYSIS

Senate Research Center

H.B. 2056
By: Oliveira (Zaffirini)
Business & Commerce
7/14/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Division of Workers' Compensation (DWC) contracts with designated doctors to provide independent medical opinions at the request of an injured employee or insurance carrier. Those doctors in turn contract with scheduling companies to which they delegate various administrative responsibilities. DWC has expressed concern that it is not always clear what responsibilities have been delegated to a scheduling company, making it difficult to ensure that only authorized agents have access to confidential claims information. To address this issue, H.B. 2056 requires a designated doctor, upon request by DWC, to provide DWC with a copy of any contract between the doctor and an authorized agent providing services related to the doctor's duties, including scheduling, billing, and organizing medical records. As a result, H.B. 2056 would ensure that DWC is able to compel production of documents currently shielded from open records law, thus enhancing DWC's ability to determine that doctors are not sharing confidential claims information with scheduling companies.

H.B. 2056 amends current law relating to access by the division of workers' compensation to certain designated doctor contracts under the workers' compensation system.

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 408.1225, Labor Code, by adding Subsections (g) and (h), as follows:

(g) Requires a designated doctor, on request of the division of workers' compensation of the Texas Department of Insurance (division), to provide the division with a copy of any contract that is:

- (1) between the designated doctor and an authorized agent of the doctor; and
- (2) for services provided by the agent related to the designated doctor's duties, including scheduling, billing, and organizing medical records.

(h) Provides that a contract provided to the division under Subsection (g) is not subject to disclosure under Chapter 552 (Public Information), Government Code.

SECTION 2. Effective date: September 1, 2017.