

BILL ANALYSIS

H.B. 2345
By: Workman
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that medical utilization review and appeal decisions regarding a person's access to critical treatment should only be made by a physician or health care provider licensed in Texas because those professionals are subject to state regulation with regard to the standards and conduct relevant to utilization review appeals. H.B. 2345 seeks to provide for this restriction.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2345 amends the Insurance Code to restrict the status of a physician a utilization review agent may use to conduct utilization review to a physician licensed to practice medicine in Texas. The bill subjects a payor that conducts utilization review on the payor's own behalf to that restriction as if the payor were a utilization review agent. The bill specifies that the physician required to make the decision on an appeal of an adverse determination following utilization review is a physician licensed to practice medicine in Texas and the health care provider required to review that decision and an expedited appeal of a denial of emergency care or continued hospitalization is a health care provider licensed in Texas. The bill restricts the status of a health care provider under the direction of whom a specialty utilization review agent must conduct utilization review to a health care provider who is licensed or otherwise authorized to provide the same specialty health care service as the agent in Texas.

H.B. 2345 amends the Labor Code to make a conforming change.

EFFECTIVE DATE

September 1, 2017.