

BILL ANALYSIS

Senate Research Center

H.B. 3012
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Business & Commerce
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Engrossed

DIGEST AND PURPOSE

Current antitrust laws prohibit physicians from meeting to discuss or jointly negotiate whether to participate in the various products of a health benefit plan. Physicians are thus not able to form networks large enough to negotiate competitively with health plans. H.B. 3012 authorizes physicians to meet to discuss such matters and sets forth provisions relating to the confidentiality of certain documents.

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 Article 29.06(b), Insurance Code, to require the department to have the authority to collect and investigate information necessary to determine, on a quarterly, rather than an annual basis: the average number of covered lives per month per county for each product type offered by every health care entity in the state and the annual impact, if any, of this article on average physician fees in this state.

SECTION 2. Amends Article 29.10, Insurance Code, to delete language regarding physicians meeting and negotiating.

SECTION 3. Amends Chapter 29, Insurance Code, by adding Article 29.10A, as follows:

Art. 29.10A. CONFIDENTIALITY. (a) Provides that detailed commercial or financial information and internal operating or business information about an individual physician or physician group practice that is provided to the attorney general or the department under this chapter is confidential and is prohibited from being made available for examination or used by any person without the consent of the person who produced the information. Provides that information covered by this article includes: physician fees; reimbursement rates and income and revenue information.

(b) Provides that final reports of approval or disapproval made by the attorney general in accordance with Article 29.09(a) of this code and final reports made by the department in accordance with Article 29.06(b) of this code are public.

SECTION 4. Amends Article 29.14, Insurance Code, to provide that this chapter expires September 1, 2005, rather than 2003.

SECTION 5. Effective date; upon passage or September 1, 2001.