

BILL ANALYSIS

Senate Research Center

S.B. 1573
By: Carona
State Affairs
4/4/2003
As Filed

DIGEST AND PURPOSE

Currently, Texas Workers' Compensation Commission (TWCC) rules allow any medical service to be disputed through the medical dispute resolution process. TWCC rules do not require an independent review organization (IRO) that hears a dispute to consider the TWCC payment policies in resolving a dispute. As proposed, S.B. 1573 requires the IRO to consider TWCC payment policies and guidelines, if the policies and guidelines are raised by one of the parties to the dispute. This bill also requires an IRO to state the specific basis for its divergence in the review of medical necessity, if the IRO's decision is contrary to TWCC's policies or guidelines.

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 413.031(e), Labor Code, to require the independent review organization, in performing a review of medical necessity under Subsection (d) or this subsection, to consider the Texas Workers' Compensation Commission's (TWCC) health care reimbursement policies and guidelines adopted under Section 413.011, if these policies and guidelines are raised by one of the parties to the dispute. Requires the decision to indicate the specific basis for its divergence in the review of medical necessity, if the independent review organization's decision is contrary to TWCC's policies or guidelines. Provides that this section does not prohibit an independent review organization from considering the payment policies adopted under Section 413.011 in any dispute, regardless of whether these policies are raised by a party to the dispute.

SECTION 2. Effective date: upon passage or September 1, 2003.

SECTION 3. Makes application of this Act prospective.