

BILL ANALYSIS

C.S.H.B. 2207
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Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that some Texas workers' compensation insurance carriers have applied state law to refuse or reduce payment for medical services provided to an injured employee by federal military treatment facilities, which are required by law to initiate federal debt collection actions against Texas injured employees. C.S.H.B. 2207 seeks to address this issue by providing for the reimbursement of federal military treatment facilities under the workers' compensation system.

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 rulemaking authority is expressly granted to the commissioner of workers' compensation in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 2207 amends the Labor Code to require the reimbursement rates under the Texas Workers' Compensation Act for medical services provided to an injured employee by a federal military treatment facility to be the amount charged by the facility as determined under federal regulations. The bill exempts the reimbursement of such a facility's charges for those medical services from the Workers' Compensation Health Care Network Act, certain provisions of the Texas Workers' Compensation Act relating to medical benefits and medical review, and statutory provisions relating to the election of workers' compensation insurance coverage for political subdivision employees. The bill requires the commissioner of workers' compensation, not later than December 1, 2019, to adopt rules necessary to implement the bill's provisions, including rules establishing requirements for processing medical bills and a separate medical dispute resolution process for certain charge disputes. The bill applies only to health care services provided on or after January 1, 2020, in conjunction with a claim for workers' compensation benefits, regardless of the date on which the compensable injury that is the basis of the claim occurred.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2207 may differ from the original in minor or nonsubstantive ways, the

following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the requirement that the reimbursement rates for applicable services be equal to the rates at which a third-party payer is required to reimburse a treatment facility for the same services to a requirement for the rates to be the amount charged by the facility providing the services.

The substitute includes a specification that the exemption from Texas Workers' Compensation Act provisions relating to medical dispute resolution applies only as those provisions relate to medical fee disputes.

The substitute does not include the provision exempting the reimbursement of a facility's charges for applicable medical services from provisions of the Texas Workers' Compensation Act relating to the decision of an independent review organization conducting a medical review.