

BILL ANALYSIS

Senate Research Center

S.C.R. 48
By: Van de Putte et al.
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DIGEST

The integrity of the Texas workers' compensation system, which gives injured workers ready access to medically necessary health care services, including medically necessary prescription drugs, must be protected. Currently, statutory, regulatory, and administrative guidelines for determining payment amounts for prescription drugs under the Labor Code are vague and do not provide fair notice to providers and workers' compensation insurance carriers regarding the amounts to be billed and paid. The methodology for determining payment amounts for prescription drugs under state law should be clearly defined. In order to ensure the presence of a reliable network of pharmacy providers and workers' compensation insurance carriers for injured workers in Texas, the procedures for presenting and processing claims for prescription drugs under the Labor Code should be made more efficient and less burdensome on insurance carriers and pharmacy providers. Workers' compensation insurance carriers and pharmacy providers throughout Texas are working collaboratively toward the goals set forth in this resolution.

PURPOSE

As proposed, S.C.R. 48 submits the following resolutions:

That the 78th Legislature direct the Texas Workers' Compensation Commission (TWCC) to complete, not later than December 1, 2003, a study of the additional administrative costs and expenses incurred by pharmacy providers to process claims and payments for prescription drugs provided to individuals under the Texas workers' compensation system, relative to the costs and expenses incurred in providing such drugs to self-paying individuals or individuals for whom payment is made under insurance coverage other than workers' compensation insurance. That the 78th Legislature direct TWCC to promulgate, not later than December 1, 2003, regulations that clearly define the methodology for determining payment amounts for prescription drugs under the Texas Workers' Compensation Act, and in so doing, to take into account the additional costs and expenses that workers' compensation insurance carriers and pharmacies incur in providing prescription drugs to individuals under the Labor Code and to ensure the presence of a reliable network of pharmacy providers for injured workers in Texas. That the 78th Legislature direct TWCC to pursue efforts to streamline the procedures for presenting, processing, and paying claims for prescription drugs under the Labor Code. That the 78th Legislature direct the TWCC to implement this resolution in a budget-neutral manner, and to employ, as appropriate, studies or other research funded by collaborative efforts of workers' compensation insurance carriers and pharmacy providers. That the secretary of state forward an official copy of this resolution to the commissioner of TWCC.