

Legislature Outdoes Itself With Bad Bills

The Legislature has now turned the halfway corner on its 140-day session and will begin to pick up speed in considering many of its bills. While a handful have gotten most of the media's attention, to no one's surprise, there have been many legislative proposals with health insurance

in their crosshairs. Several are going in the right direction – *for* market-driven solutions, enhanced consumer knowledge, and increased consumer choices in plans. But the majority are bad, bad bills – with more mandates and more government control, regardless of the resulting increases in cost.

Remember, these proposals can move fast and the original versions can be amended quickly. You can find out the latest status and version at www.capitol.state.tx.us. In the meantime, here's the latest on the "big" issues the TAHU legislative team is tracking.

"Connector" / Universal Health Care – Three bills would set up some form of state-administered health care system. A couple of them include some expensive mandates on employers to pay into a state system; and one (HB 3963 by Castro) would have employers and individuals buy their coverage from carriers through a state-run bureaucracy. In other words -- AGENTS NEED NOT APPLY! The best news is that absolutely no one at the Capitol believes these bills will go anywhere.

Transparency – There has been one major bill on health care costs disclosure filed (SB 1731 by Duncan, companion is HB 3530 by Isett). The original, filed version is the subject of negotiations already and we're looking forward to getting a copy of the revised substitute any day now.

HSAs – A measure to allow state employees to own HSAs has been filed again (HB 1269 by Crownover). Like last session, TAHU thinks this is a good idea for the employer (you and me as taxpayers) and employees.

Long Term Care Partnerships – Two similar bills have been sent up on this (SB 22 by Nelson, SB 738 by Williams). They're both good. SB 22 has already had a hearing and should be voted on any day now.

Mandate Bills – It's a dubious distinction but this Legislature has filed more bills than any previous one to require new mandated benefits. In this day when everyone wants to make health insurance more "affordable", we hope legislators see the inconsistency in loading even more requirements onto health plans and policies.



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SB 23 – The TAHU legislative team took a number of concerns and questions to the bill sponsor and as a result, the substitute that will be voted out of Senate State Affairs soon is greatly improved over the original, filed version. The best change was the removal of the section allowing guaranteed issue coops for single employer-sole proprietors. The other big change was in the section setting up a voluntary small group agent certification. This has now been amended to waive the initial requirements and examination to be certified for agents who hold an RHU, CEBS, or REBC designation. Five hours of small group C.E. will be required to maintain the certification and this “new” five hours may be part of the existing 30 hours every two-year license cycle.

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Balance Billing Legislation – There have been a number of bills on this, with several aimed directly at non-network providers in network facilities. Everyone in TAHU knows how important this subject is and the filed bills are a mixed bag for sure. Some simply require disclosure to the consumer. Some restrict the amount charged to the consumer to the same rate as those in the facility’s network contract. We expect many of the ideas from the different proposals to be rolled into one bill. It’s good news that we’ve finally gotten this subject out on the table for full blown discussion and that by itself helps expose the abuses of the consumer.

A number of other significant issues have materialized in bill form, too: on the individual risk pool, small group premium subsidies for lower income employees, “discount health plan” regulation, and some on wellness and good health programs and declaring they are not rebates.

Time Is Short --- *Seven weeks remain in this session. Sounds like plenty of time to kill the bad bills and push the good ones, doesn’t it? The truth is that because of House and Senate rules, there really is probably five weeks AT THE MOST left for real action to take place. In other words, we don’t have a lot of time left to “git ‘r done” our way. Please watch for future communications: emails asking you to visit your state senator and representative in his district office; or Operation Shouts asking you to phone or email about a specific bill. No lobbyist, no special interest group -- regardless of how well financed, can overcome what you can do if every one of you gets engaged in this process and does his share.*

(Questions? Contact any member of the Legislative Council: Misty Baker, mistyb@onebox.com; Rusty Rice, rrice@avesis.com; Jacqueline St. Hilaire, jacquelines@safeguard.net; Joe Phifer, JoeP@safeguard.net; Gary Waldron, gwaldron@prescottpallet.com; Kelly Fristoe, kfristoe@wf.net; Lee Manross, lmanross@aol.com; Shirley Hutzler, shirly270@aol.com)