

Comments on HB 3589 as Filed

PART I.

Page 6, line 22 through page 7 line 4 – should add that the commission may contract with a private entity in the event there are no viable bids from state agency or state university.

Page 7, line 6 – needs to be clear who has the authority to make the assessments, how (procedurally) they make them, and the basis for determining the amount of the assessment and the basis for determining how it is to be allocated among the networks

Page 8, line 13 – says that, “unless continued by statute, the pilot project ends three years from ...” – should read: “unless continued by statute or terminated earlier”

Page 9, line 23 – add that the Commission has authority to audit network based upon complaints and has sanction authority

Page 10, line 12 – needs to be clear who has the authority to make the assessments, how (procedurally) they make them, and the basis for determining the amount of the assessment and the basis for determining how it is to be allocated among the networks

Page 11, line 14 – subsection (m) which lists the Labor Code provisions that the network project may alter – what about medical dispute resolution? What about fee dispute resolution?

Typo's

- page 10, line 24 – “On receipt on the” should be “On receipt of the”
- page 18, line 9 – (q)(1) – “elect” should be “elected”

PART II.

I suggested on March 7th and still do) that the bill provide authority to the Commission to access confidential information from networks, including fees, etc., so the Commission may determine what works and what may not work to reduce costs, etc. Instead, HB 3589 gives the ROC, and only the ROC, access to that information. If this is left with the ROC only, then it should provide that the ROC must share the info with the Commission.

The commission also needs clear authority to audit and sanction appropriately.

The administrative violation established on page 9 line 21 does not say who determines that there is a violation, who assesses the penalty, what review rights there are on the part of the network, etc. – this needs to be clear authority, as we are dealing with a sanction.