



Physicians Caring for Texans

House Insurance Committee
Testimony by Tilden Childs III, MD, Texas Medical Association
House Bill 3359 (Network Adequacy) by Rep. Greg Bonnen
April 11, 2023

Thank you, Chairman Oliverson, Vice-Chair Johnson, and committee members, for allowing me to testify today. My name is Dr. Tilden Childs, and I am a radiologist from Fort Worth testifying on behalf of TMA and its more than 57,000 members, in support of House Bill 3359.

Network adequacy laws in Texas are some of the strongest in the nation. However, these standards exist primarily in administrative rule and not in statute. A key provision of the standards is the requirement that all health plans offer a robust network of physicians and other health care providers to whom patients have reasonable access – meaning these physicians or facilities exist within a reasonable distance and have the capacity to see and treat all enrollees in the plan. Unfortunately, the vast majority of plans in Texas DO NOT provide the level of reasonable access that the Texas Department of Insurance (TDI) rules require.

House Bill 3359 seeks to address these gaps in our health insurance networks by codifying existing requirements into statute, as you can see from the chart of time and distance standards, by provider type, in the bill. The standards in the chart were derived from Medicare Advantage standards adopted by the Centers for Medicare and Medicaid Services at the federal level, which provides uniformity for health insurers who already have to meet these requirements. The bill also sets a standard maximum distance of 75 miles for non-listed physician specialties and allows for the TDI commissioner to adopt stricter standards where appropriate to address utilization or supply patterns.

Additionally, the bill requires health insurers to demonstrate adequate provider networks to meet patient needs based on current and projected utilization of covered services before the plans are marketed and sold. To ensure compliance and enforceability, the bill requires TDI to adopt rules that require health insurers to submit sufficient data for the commissioner to make compliance determinations.

Again, thank you Mr. Chairman and committee members for allowing me to testify today in support of House Bill 3359. I appreciate your work to improve transparency in health care and to put patient health and safety above all. I am happy to answer any questions.