

Bill Summary
2nd Session of the 60th Legislature

Bill No.:	SB 1626
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Author:	Sen. Frix
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Bill Analysis

SB 1626 prohibits any health insurance carrier from entering into or renewing any contract that contains an all-or-nothing clause, anti-steering clause, anti-tiering clause, gag clause, most-favored-nations clause, or any other clause that results or intends to result in anticompetitive effects. Any violation of this prohibition shall be considered an unfair or deceptive act and subject to enforcement by the Attorney General. Parties to such contracts may submit a request for a waiver to the Insurance Commissioner. The Commissioner shall approve or deny the waiver within 60 days of receipt of the request. The measure directs the Commissioner to consider if the agreement or policy results in an improvement in the welfare of consumers, whether improvement in the welfare could not have been accomplished through alternative means, and whether or not the agreement would constitute a contract, combination, or conspiracy in restraint of trade. The measure authorizes the Attorney General to subpoena records to carry out the provisions of this measure. All records relating to health benefit plans shall be subject to inspection by the Commissioner. The measure authorizes the Commissioner to impose up to a \$5,000.00 fine per contract in violation of the provisions of this measure.

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