



Texas Association of Health Plans
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November 2, 2023

Office of the Chief Clerk,
Texas Department of Insurance
Via email at: ChiefClerk@tdi.texas.gov

Re: Proposed Rule 28 TAC §21.2819, Submission of Clean Claims

Texas Department of Insurance,

The Texas Association of Health Plans (TAHP) is the statewide trade association representing health insurers, health maintenance organizations, and other related health care entities operating in Texas. Our members provide health and supplemental benefits to Texans through employer-sponsored coverage, the individual insurance market, and public programs such as Medicare and Medicaid. We are writing today to express our support for the proposed rule, but to ask for one clarification.

This proposal would implement SB 1286 (88th Legislative Session), which allowed extensions of prompt pay deadlines after a catastrophic event through either commissioner notice or by approval from the agency. The bill implements a biennial recommendation, which arose out of confusion about exemptions during the COVID-19 pandemic. The changes in SB 1286 and this proposed rule will provide clarity to plans and providers in future catastrophic events.

Our only request is for the agency to specify, either in rule or in the preamble to the adoption of these rules, whether the five days to file a request for extension in §21.2819(a) is accumulated in business days or calendar days. This portion of the rule is not being amended, but proposed subsection (d) does specify “business days,” so specifying “business” or “calendar” in subsection (a) would increase consistency.

We appreciate the opportunity to provide feedback on this rule proposal. Please contact us if you have any questions or concerns regarding our recommendation.

Sincerely,

A handwritten signature in black ink that reads "Jamie Dudensing". The signature is written in a cursive, flowing style.

Jamie Dudensing, RN
CEO, Texas Association of Health Plans