



The Monthly Update of Texas Healthcare News

TEXAS HEALTH LAW NEWSBRIEF



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A Service of Martin, Disiere, Jefferson & Wisdom L.L.P.

Principal Office 808 Travis, Suite 1800 Houston, Texas 77002 713.632.1700 FAX 713.222.0101

111 Congress Avenue, Suite 1070 Austin, Texas 78701 512.610.4400 FAX 512.610.4401

900 Jackson Street, Suite 710 Dallas, Texas 75202 214.420.5500 FAX 214.420.5501

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HURRICANE IKE SPECIAL ISSUE

DISASTER RESOURCES AVAILABLE

Hurricane Ike made a direct hit on Galveston and Houston early Saturday morning as a strong Category 2 hurricane. Parts of the Houston metro area, especially Galveston and many communities between Houston and the Gulf, experienced catastrophic damage. Many of the other surrounding and coastal communities also experienced significant damage. Wide spread power outages are expected to last for up to 4 weeks. While Ike was devastating to many, millions consider themselves blessed because their families are safe and their property damage was not severe. Please join us in praying for our entire community in Southeast Texas.

We recognize while many are beginning the hard task of cleaning up the mess and returning to work, the healthcare and insurance providers are already working their hardest under tremendous demands. At MDJ&W we are here to help you through these challenging and demanding times.

Additionally a variety of government and private organizations are helping those in need recover from Ike. The following is a list of web links and phone numbers you may find helpful:

<u>Name</u>	<u>Phone</u>
FEDERAL RESOURCES	
Federal Emergency Management Agency	1-800-621-FEMA (3362)
Federal Disaster Assistance Process for Individuals	1-800-462-7585
Department of Homeland Security	1-202-282-8000
Government Benefits Search	1-800-333-4636
Administration of Aging	1-202 619-0724
Dept. of Health and Human Services	1-877-696-6775
Center for Disease Control	1-888-246-2675
Small Business Administration	1-800-659-2955
TEXAS RESOURCES	
State of Texas	1.877.452.9060
Texas Division of Emergency Management	
Office of the Attorney General Consumer Protection	1 -800-621-0508
Texas Department of Insurance	1-800-578-4677
Texas Department of Health and Human Services	1-877-541-7905
Texas Rio Grande Legal Aid	1-866-757-1570
Texas Rural Mediation Services	1-866-329-3522

2-1-1 Texas Information and Referral Network	1-877-541-7905
NON-PROFIT AGENCIES	
American Red Cross	1-800-HELP-NOW
Salvation Army	1-800-SAL-ARMY
Missing Persons Registries	1-866-GET-INFO
United Way	1-800-833-5948
LEGAL RESOURCES	
The State Bar of Texas	1-800-204-2222
State Bar of Texas Lawyer Referral Information Service	1-800-252-9690
Houston Bar Association (HBA)	713-759-1133
HBA LegalLines – Pro Bono (free) legal help line	713-759-1133
HBA’s Houston Volunteer Lawyers Program -- Hurricane Ike Pro Bono Clinics	713-228-0735 or 713-759-1133

TDI EXTENDS DEADLINES FOR LIFE, ACCIDENT & HEALTH INSURANCE

The Texas Department of Insurance issued commissioner’s bulletin #B-0059-08 on September 14, 2008. The bulletin includes the TDI opinion that all health insurers and health maintenance organizations (HMO) should extend any claim filing deadlines for providers, insureds, certificate holders, or enrollees. TDI also opined that health insurers and HMOs should waive contractual restrictions requiring preauthorizations, referrals, notification of hospital admissions, and medical necessity reviews through the duration of the Governor’s disaster proclamation. The extension is to last for the duration of Governor Perry’s disaster declaration, which is open-ended at this time. The bulletin is available at <http://www.tdi.state.tx.us/bulletins/2008/cc61.html>.

TDI ISSUES REMINDER OF PROMPT PAYEMENT PROVISIONS

In commissioner’s bulletin #B-0059-08 on September 14, 2008, the Texas Department of Insurance reminded all insurance companies and HMOs generally of the prompt payment provisions of the Texas Insurance Code and the Texas Administrative Code relating to catastrophic events. TDI believes these codes allow payers that experience a catastrophic event to toll applicable prompt payment deadlines upon communicating to the TDI the occurrence and circumstances of the event. TDI requests any such notices be sent to:

Filings Intake Division -- Mail Code 106-1E
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78701-9104

HHSC SUSPENDS SOME MEDICAID REQUIREMENTS

In response to Hurricane Ike, the Texas Health and Human Services Commission (HHSC) suspended several Medicaid requirements. Some of these suspensions include:

- Primary care referral for Medicaid patients in the PCCM program who live in a hurricane evacuation area.

- Prior authorization requirements for Medicaid patients in the PCCM program who live in a hurricane evacuation area.
- Prior authorization requirements for Medicaid patients in the fee-for-service program who live in a hurricane evacuation area.
- The bulletin is available at <http://ww.hhsc.state.tx.us/IkePrep.html>.

TRAINING FOR DOCTOR AND LAWYER VOLUNTEERS FOR DRUG EDUCATION PROGRAM RESCHEDULED

The Interprofessional Drug Education Alliance (IDEA) teams physicians and attorneys to speak with youth about the medical and legal effects of illegal drug use. The program is a joint project of the Houston Bar Association and the Harris County Medical Society. IDEA targets 5th grade students in Harris County schools, and we are working with local school districts to expand the program throughout the greater Houston community.

The first training session for volunteers has been rescheduled to **October 2, 2008 at 6:00 p.m.** because of Ike. The training will be at the Houston Bar Association in downtown Houston. IDEA presentations are currently scheduled for October 23, 2008 and May 5, 2009 at schools throughout our community. The presentations usually only require two hours from the volunteers. The IDEA program handbook for doctors and lawyers is available [through this link](#).

If you know an attorney or physician who might be interested in the program please have them contact committee chairmen Brad Allen (713-632-1790 or allen@mdjwlaw.com.) We hope you can make the rescheduled training and orientation.

Disclaimer: This Newsletter provides information about legal issues designed to help readers with their own legal needs. Although we go to great length to make sure our information is accurate and useful, reading this Newsletter is not a substitute for consultation with an attorney. Persons or companies with legal issues or questions should consult an attorney of their choice for specific advice regarding their individual situations.

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