

**SUBCHAPTER L. Standard Language for Mandatory and Other Provisions
28 TAC §§11.1101 and 11.1102**

**SUBCHAPTER Q. Other Requirements
28 TAC §11.1608**

**SUBCHAPTER U. Services
28 TAC §§11.2001 – 11.2006**

1. INTRODUCTION. The Commissioner of Insurance adopts the repeal of Subchapter L, §§11.1101 and 11.1102, concerning standard language for mandatory and other provisions; Subchapter Q, §11.1608, concerning other requirements and Subchapter U, §§11.2001 – 11.2006, concerning services; The repeal of these sections is adopted without changes to the proposal published in the November 12, 2004 issue of the Texas Register (29 TexReg 10419).

2. REASONED JUSTIFICATION. The repeal of Subchapters L and U is necessary to streamline and improve the regulatory efficiency of Chapter 11. The provisions of Subchapters L and U have either been transferred to other subchapters and published elsewhere in this issue of the Texas Register, or deleted as unnecessary. The repeal of §11.1608 is necessary because many of its notice provisions are now included in adopted §11.1600(b)(11), published elsewhere in this issue of the Texas Register.

3. HOW THE SECTIONS WILL FUNCTION. The purpose and objective of the repeal is to allow for the streamlining and adoption of amendments to Chapter 11. The

repealed sections have either been incorporated into other provisions in Chapter 11 or deleted as unnecessary.

4. SUMMARY OF COMMENTS. No comments were received.

5. STATUTORY AUTHORITY. The repeal of the sections is adopted pursuant to the Insurance Code §§843.102, 843.151, and 36.001. Section 843.102 provides that the commissioner by rule may establish minimum standards and requirements for the quality assurance programs of HMOs, including standards for ensuring availability, accessibility, quality and continuity of care. Section 843.151 provides the commissioner may adopt reasonable rules as necessary and proper to fully implement Insurance Code Chapters 843 and 20A, as well as the requirements of federal law and regulations. Section 36.001 provides that the Commissioner of Insurance may adopt any rules necessary and appropriate to implement the powers and duties of the Texas Department of Insurance under the Insurance Code and other laws of this state.

6. TEXT.

Subchapter L. Standard Language for Mandatory and Other Provisions

§11.1101. Purpose.

§11.1102. Hold-Harmless Clause.

Subchapter Q. Other Requirements

§11.1608. Designation of Obstetrician/Gynecologist Notice.

Subchapter U. Services

§11.2001. Ambulatory Health Care Services.

§11.2002. Emergency Care.

§11.2003. Inpatient Hospital and Medical Services.

§11.2004. Diagnostic and Therapeutic Services.

§11.2005. Optional Services.

§11.2006. Single Health Care Services.

CERTIFICATION. This agency certifies that the repeal as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued at Austin, Texas, on _____, 2005.

Gene C. Jarmon
General Counsel and Chief Clerk
Texas Department of Insurance

IT IS THEREFORE THE ORDER of the Commissioner of Insurance that the repeal of Subchapter L, §§11.1101 and 11.1102, concerning standard language for mandatory and other provisions; Subchapter U, §§11.2001 – 11.2006, concerning services; and §11.1608, concerning designation of obstetrician/gynecologist notice, is adopted.

AND IT IS SO ORDERED.

JOSE MONTEMAYOR
COMMISSIONER OF INSURANCE

ATTEST:

Gene C. Jarmon
General Counsel and Chief Clerk

COMMISSIONER'S ORDER NO. _____