

By: Price

H.B. No. 2595

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to educational materials and parity law training regarding  
3 benefits for mental health conditions and substance use disorders  
4 to be made available through a complaint portal and otherwise;  
5 designating October as mental health condition and substance use  
6 disorder parity awareness month.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Subchapter D, Chapter 662, Government Code, is  
9 amended by adding Section 662.115 to read as follows:

10 Sec. 662.115. MENTAL HEALTH CONDITION AND SUBSTANCE USE  
11 DISORDER PARITY AWARENESS MONTH. (a) October is Mental Health  
12 Condition and Substance Use Disorder Parity Awareness Month to  
13 increase awareness of and compliance with state and federal rules,  
14 regulations, and statutes concerning the availability of, and terms  
15 and conditions of, benefits for mental health conditions and  
16 substance use disorders.

17 (b) Mental Health Condition and Substance Use Disorder  
18 Parity Awareness Month may be regularly observed through  
19 appropriate activities in communities to increase awareness of and  
20 education on the available benefits for mental health conditions  
21 and substance use disorders.

22 SECTION 2. Subchapter F, Chapter 1355, Insurance Code, is  
23 amended by adding Sections 1355.2571 and 1355.2572 to read as  
24 follows:

1       Sec. 1355.2571. PARITY COMPLAINT PORTAL. (a) The  
2 commissioner shall develop and maintain a parity complaint portal  
3 that is an integrated system that allows for the enrollee of a  
4 health benefit plan to submit complaints of suspected violations of  
5 the provisions of this subchapter. The parity complaint portal  
6 must:

7           (1) allow for an enrollee to submit a complaint  
8 through multiple ways;

9           (2) provide updates on the status of an enrollee's  
10 complaint;

11           (3) ensure timely, effective, and equitable  
12 resolution for submitted complaints;

13           (4) include educational materials regarding:

14                   (A) benefits for mental health conditions and  
15 substance use disorders required under this subchapter;

16                   (B) an enrollee's rights and responsibilities  
17 under a health benefit plan concerning coverage under this  
18 subchapter;

19                   (C) circumstances under which a claim may be  
20 denied; and

21                   (D) the processes for reviewing a complaint  
22 submitted through the portal; and

23           (5) adhere to national best practices as determined by  
24 the commissioner.

25       (b) In developing the parity complaint portal under  
26 Subsection (a), the commissioner:

27           (1) shall conduct an assessment of complaint portals

1 and similar systems used by other relevant public or private  
2 entities;

3 (2) shall develop best practice standards for  
4 complaint submissions and tracking consistent with the findings of  
5 the assessment conducted under Subdivision (1); and

6 (3) may develop a new complaint portal or modify an  
7 existing complaint portal.

8 Sec. 1355.2572. EDUCATIONAL MATERIALS AND PARITY LAW  
9 TRAINING. (a) The commissioner shall develop educational materials  
10 and parity law training sessions regarding the coverage for mental  
11 health conditions and substance use disorders required under this  
12 subchapter. The commissioner shall ensure that the materials and  
13 training sessions:

14 (1) are available to health benefit plan issuers and  
15 enrollees;

16 (2) include online, print, and in-person formats;

17 (3) are made available through the parity complaint  
18 portal established under Section 1355.2571 and at relevant  
19 locations and settings, including:

20 (A) any relevant agency offices;

21 (B) health benefit plan provider service  
22 locations; and

23 (C) relevant professional conferences and trade  
24 association meetings; and

25 (4) include a list of relevant third-party  
26 organization educational and parity law awareness materials that  
27 provide additional information regarding mental health conditions

1 and substance use disorder parity and, if provided in an online  
2 format, provide the links needed to access those materials online.

3 (b) The commissioner annually shall provide updates  
4 concerning the status of rights and responsibilities for mental  
5 health conditions and substance use disorder benefits.

6 SECTION 3. As soon as practicable after the effective date  
7 of this Act, the commissioner of insurance shall develop:

8 (1) the parity complaint portal required by Section  
9 1355.2571, Insurance Code, as added by this Act; and

10 (2) the educational materials and parity law training  
11 sessions required by Section 1355.2572, Insurance Code, as added by  
12 this Act.

13 SECTION 4. This Act takes effect September 1, 2021.