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H.B. No. 1455

A BILL TO BE ENTITLED

AN ACT

relating to health care benefits of persons wrongfully imprisoned.

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

SECTION 1. Section 103.001(d), Civil Practice and Remedies Code, is amended to read as follows:

(d) Subject to this section, a person entitled to compensation under Subsection (a) is also eligible to obtain group health benefit plan coverage through the Texas Department of Criminal Justice as if the person were an employee of the department. The [This subsection does not entitle the] person's spouse and dependents may be included in the person's [or other dependent or family member to group health benefit plan] coverage as if the person were an employee of the department. Coverage may be obtained under this subsection for a period of time equal to the total period the claimant served for the crime for which the claimant was wrongfully imprisoned, including any period during which the claimant was released on parole or to mandatory supervision or required to register under Chapter 62, Code of Criminal Procedure. A person who elects to obtain coverage under this subsection shall pay a monthly contribution equal to the total amount of the monthly contributions for that coverage for an employee of the department.

SECTION 2. Section 1551.115, Insurance Code, is amended to read as follows:

1 Sec. 1551.115. PARTICIPATION BY WRONGFULLY IMPRISONED
2 PERSONS. Subject to Section 103.001, Civil Practice and Remedies
3 Code, a person who is entitled to compensation under Chapter 103,
4 Civil Practice and Remedies Code, is eligible to obtain health
5 benefit plan coverage under the group benefits program in the
6 manner and to the extent that an employee of the Texas Department of
7 Criminal Justice would be entitled to coverage. The person's spouse
8 and dependents may be included in the person's coverage as if the
9 person were an employee of the Texas Department of Criminal
10 Justice~~[, except that this section does not entitle the person's~~
11 ~~spouse or other dependent or family member to coverage].~~

12 SECTION 3. A person who, before the effective date of this
13 Act, obtained group health benefit plan coverage under Section
14 103.001(d), Civil Practice and Remedies Code, and Section 1551.115,
15 Insurance Code, as those laws existed before the effective date of
16 this Act, may elect to include the person's spouse and dependents in
17 the person's coverage as provided by Section 103.001(d), Civil
18 Practice and Remedies Code, and Section 1551.115, Insurance Code,
19 as amended by this Act. An election under this section must be
20 made:

- 21 (1) not later than March 1, 2024; or
22 (2) during any subsequent open enrollment period
23 applicable to employees of the Texas Department of Criminal
24 Justice.

25 SECTION 4. This Act takes effect September 1, 2023.