

By: King of Hemphill

H.B. No. 3800

A BILL TO BE ENTITLED

AN ACT

relating to the participation of campus-based mental health professionals in certain managed care plans.

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

SECTION 1. Chapter 1451, Insurance Code, is amended by adding Subchapter L to read as follows:

SUBCHAPTER L. ACCESS TO CAMPUS-BASED MENTAL HEALTH PROFESSIONALS

Sec. 1451.551. DEFINITIONS. In this subchapter:

(1) "Campus-based mental health professional" means a licensed clinical social worker, professional counselor, psychological associate, or psychologist who provides mental health care services primarily or exclusively at a campus of a school district or an open-enrollment charter school.

(2) "Managed care plan" means a health benefit plan under which health care services are provided to enrollees through contracts with health care providers and that requires enrollees to use participating providers or that provides a different level of coverage for enrollees who use participating providers. The term includes a health benefit plan issued by:

- (A) a health maintenance organization;
- (B) a preferred provider benefit plan issuer; or
- (C) any other entity that issues a health benefit plan, including an insurance company.

(3) "Open-enrollment charter school" means a school

1 that has been granted a charter under Subchapter D, Chapter 12,
2 Education Code.

3 (4) "Participating provider" means a health care
4 provider who has contracted with a health benefit plan issuer to
5 provide services to enrollees.

6 (5) "School district" means a public school district
7 created under the laws of this state.

8 Sec. 1451.552. USE OF CAMPUS-BASED MENTAL HEALTH
9 PROFESSIONAL. A managed care plan may not deny participation of a
10 campus-based mental health professional as a participating
11 provider in the plan if the mental health professional meets the
12 plan's credentialing requirements and agrees to the plan's
13 contractual terms.

14 SECTION 2. This Act takes effect September 1, 2023.