

By: Bernal

H.B. No. 3948

A BILL TO BE ENTITLED

AN ACT

relating to coverage for childhood screening, diagnosis, and treatment for dyslexia under certain health benefit plans.

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

SECTION 1. Chapter 1367, Insurance Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. CHILDHOOD SCREENING, DIAGNOSIS, AND TREATMENT FOR
DYSLEXIA

Sec. 1367.301. APPLICABILITY OF SUBCHAPTER. (a) This subchapter applies only to a health benefit plan that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar coverage document that is offered by:

(1) an insurance company;

(2) a group hospital service corporation operating under Chapter 842;

(3) a health maintenance organization operating under Chapter 843;

(4) an approved nonprofit health corporation that holds a certificate of authority under Chapter 844;

(5) a multiple employer welfare arrangement that holds

1 a certificate of authority under Chapter 846;

2 (6) a stipulated premium company operating under
3 Chapter 884;

4 (7) a fraternal benefit society operating under
5 Chapter 885;

6 (8) a Lloyd's plan operating under Chapter 941; or

7 (9) an exchange operating under Chapter 942.

8 (b) This subchapter applies to coverage under a group health
9 benefit plan described by Subsection (a) provided to a resident of
10 this state, regardless of whether the group policy or contract is
11 delivered, issued for delivery, or renewed within or outside this
12 state.

13 (c) Notwithstanding any other law, this subchapter applies
14 to:

15 (1) a small employer health benefit plan subject to
16 Chapter 1501, including coverage provided through a health group
17 cooperative under Subchapter B of that chapter;

18 (2) a standard health benefit plan issued under
19 Chapter 1507;

20 (3) a basic coverage plan under Chapter 1551;

21 (4) a basic plan under Chapter 1575;

22 (5) a primary care coverage plan under Chapter 1579;

23 (6) a plan providing basic coverage under Chapter
24 1601;

25 (7) group health coverage made available by a school
26 district in accordance with Section 22.004, Education Code;

27 (8) the state Medicaid program, including the Medicaid

1 managed care program operated under Chapter 533, Government Code;

2 (9) the child health plan program under Chapter 62,
3 Health and Safety Code; and

4 (10) a regional or local health care program operated
5 under Section 75.104, Health and Safety Code.

6 (d) This subchapter does not apply to an individual health
7 benefit plan issued on or before March 23, 2010, that has not had
8 any significant changes since that date that reduce benefits or
9 increase costs to the individual.

10 Sec. 1367.302. COVERAGE REQUIRED. (a) A health benefit
11 plan must provide coverage for the screening, diagnosis, and
12 treatment for dyslexia for a covered individual who is 4 years of
13 age or older and younger than 10 years of age.

14 (b) The coverage required under Subsection (a) must
15 include:

16 (1) screening for dyslexia conducted at a medical
17 appointment using a validated tool or parental questionnaire for
18 dyslexia; and

19 (2) a complete evaluation upon referral by the person
20 conducting the screening described by Subdivision (1) if the result
21 of the screening is positive for dyslexia.

22 SECTION 2. If before implementing any provision of this Act
23 a state agency determines that a waiver or authorization from a
24 federal agency is necessary for implementation of that provision,
25 the agency affected by the provision shall request the waiver or
26 authorization and may delay implementing that provision until the
27 waiver or authorization is granted.

1 SECTION 3. The change in law made by this Act applies only
2 to a health benefit plan that is delivered, issued for delivery, or
3 renewed on or after January 1, 2024.

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