

By: Talarico

H.B. No. 4798

A BILL TO BE ENTITLED

AN ACT

relating to governmental health benefit plan coverage for opioid antagonists and associated devices.

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

SECTION 1. Subtitle E, Title 8, Insurance Code, is amended by adding Chapter 1372 to read as follows:

CHAPTER 1372. COVERAGE FOR OPIOID ANTAGONISTS

Sec. 1372.001. DEFINITION. In this chapter, "opioid antagonist" means any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors.

Sec. 1372.002. APPLICABILITY OF CHAPTER. Notwithstanding any other law, this chapter applies only to:

- (1) a basic coverage plan under Chapter 1551;
- (2) a basic plan under Chapter 1575;
- (3) a primary care coverage plan under Chapter 1579;
- (4) a plan providing basic coverage under Chapter 1601;
- (5) the state Medicaid program, including the Medicaid managed care program operated under Chapter 533, Government Code; and
- (6) the child health plan program under Chapter 62, Health and Safety Code.

Sec. 1372.003. REQUIRED COVERAGE FOR OPIOID ANTAGONISTS. A

1 health benefit plan must provide coverage for an opioid antagonist  
2 and an associated device used in the administration of an opioid  
3 antagonist.

4 SECTION 2. If before implementing any provision of this Act  
5 a state agency determines that a waiver or authorization from a  
6 federal agency is necessary for implementation of that provision,  
7 the agency affected by the provision shall request the waiver or  
8 authorization and may delay implementing that provision until the  
9 waiver or authorization is granted.

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

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