

By: Hughes

S.B. No. 1051

A BILL TO BE ENTITLED

AN ACT

relating to a uniform coordination of benefits questionnaire for health benefit plans.

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

SECTION 1. Chapter 1203, Insurance Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. COORDINATION OF BENEFITS QUESTIONNAIRE

Sec. 1203.101. 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 issued 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 a certificate of authority under Chapter 846;

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

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

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

6 (9) an exchange operating under Chapter 942.

7 (b) Notwithstanding any other law, this subchapter applies
8 to:

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

12 (2) a standard health benefit plan issued under
13 Chapter 1507;

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

15 (4) a basic plan under Chapter 1575;

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

17 (6) a plan providing basic coverage under Chapter
18 1601;

19 (7) nonprofit agricultural organization health
20 benefits offered by a nonprofit agricultural organization under
21 Chapter 1682;

22 (8) alternative health benefit coverage offered by a
23 subsidiary of the Texas Mutual Insurance Company under Subchapter
24 M, Chapter 2054;

25 (9) health benefits provided by or through a church
26 benefits board under Subchapter I, Chapter 22, Business
27 Organizations Code;

1 (10) group health coverage made available by a school
2 district in accordance with Section 22.004, Education Code;

3 (11) the state Medicaid program, including the
4 Medicaid managed care program operated under Chapter 533,
5 Government Code;

6 (12) the child health plan program under Chapter 62,
7 Health and Safety Code;

8 (13) a regional or local health care program operated
9 under Section 75.104, Health and Safety Code;

10 (14) a self-funded health benefit plan sponsored by a
11 professional employer organization under Chapter 91, Labor Code;

12 (15) county employee group health benefits provided
13 under Chapter 157, Local Government Code; and

14 (16) health and accident coverage provided by a risk
15 pool created under Chapter 172, Local Government Code.

16 Sec. 1203.102. CREATION OF UNIFORM COORDINATION OF BENEFITS
17 QUESTIONNAIRE. In collaboration with appropriate stakeholders,
18 the commissioner shall adopt rules establishing a uniform
19 coordination of benefits questionnaire to be used by all health
20 benefit plan issuers and administrators in this state.

21 Sec. 1203.103. UNIFORM COORDINATION OF BENEFITS
22 QUESTIONNAIRE REQUIRED. Each health benefit plan issuer and
23 administrator shall use the uniform coordination of benefits
24 questionnaire established under Section 1203.102 and make the
25 questionnaire available to health care providers as appropriate.

26 SECTION 2. (a) Not later than January 1, 2024, the
27 commissioner of insurance shall adopt rules establishing the

1 uniform coordination of benefits questionnaire under Section
2 1203.102, Insurance Code, as added by this Act.

3 (b) The changes in law made by this Act apply only to the use
4 of a coordination of benefits questionnaire on or after February 1,
5 2024.

6 SECTION 3. This Act takes effect September 1, 2023.