

By: Talarico

H.B. No. 1396

A BILL TO BE ENTITLED

AN ACT

relating to coverage for mental health conditions and substance use disorders under certain governmental health benefit plans.

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

SECTION 1. Section 1355.002(b), Insurance Code, is amended to read as follows:

(b) Except as otherwise provided by this subchapter, but notwithstanding [~~Notwithstanding any provision in Chapter 1575 or 1579 or~~] any other law, this subchapter [~~Section 1355.015~~] applies to:

- (1) a basic coverage plan under Chapter 1551;
- (2) a basic plan under Chapter 1575; [~~and~~]
- (3) [~~(2)~~] a primary care coverage plan under Chapter 1579; and
- (4) a plan providing basic coverage under Chapter 1601.

SECTION 2. Section 1355.003(a), Insurance Code, is amended to read as follows:

(a) This subchapter does not apply to coverage under:

- (1) a blanket accident and health insurance policy, as described by Chapter 1251;
- (2) a short-term travel policy;
- (3) an accident-only policy;
- (4) a limited or specified-disease policy that does

1 not provide benefits for mental health care or similar services;

2 (5) [~~except as provided by Subsection (b), a plan~~
3 ~~offered under Chapter 1551 or Chapter 1601,~~

4 [~~(6)~~] a plan offered in accordance with Section
5 1355.151; or

6 (6) [~~(7)~~] a Medicare supplement benefit plan, as
7 defined by Section 1652.002.

8 SECTION 3. Section 1355.015(e), Insurance Code, is amended
9 to read as follows:

10 (e) Notwithstanding any other law, this section does not
11 apply to:

12 (1) a standard health benefit plan provided under
13 Chapter 1507;

14 (2) a basic coverage plan under Chapter 1551; or

15 (3) a plan providing basic coverage under Chapter
16 1601.

17 SECTION 4. Section 1355.252, Insurance Code, is amended by
18 adding Subsection (d) to read as follows:

19 (d) Notwithstanding any other law, this subchapter applies
20 to:

21 (1) a basic coverage plan under Chapter 1551;

22 (2) a basic plan under Chapter 1575;

23 (3) a primary care coverage plan under Chapter 1579;

24 and

25 (4) a plan providing basic coverage under Chapter
26 1601.

27 SECTION 5. Section 1355.255, Insurance Code, is amended to

1 read as follows:

2 Sec. 1355.255. COMPLIANCE. (a) Except as provided by
3 Subsection (b), the [The] commissioner shall enforce compliance
4 with Section 1355.254 by evaluating the benefits and coverage
5 offered by a health benefit plan for quantitative and
6 nonquantitative treatment limitations in the following categories:

- 7 (1) in-network and out-of-network inpatient care;
8 (2) in-network and out-of-network outpatient care;
9 (3) emergency care; and
10 (4) prescription drugs.

11 (b) With respect to a plan described by Section 1355.252(d),
12 the applicable trustee, board of trustees, or system shall enforce
13 compliance with Section 1355.254 by evaluating the benefits and
14 coverage offered by a health benefit plan for quantitative and
15 nonquantitative treatment limitations in the following categories:

- 16 (1) in-network and out-of-network inpatient care;
17 (2) in-network and out-of-network outpatient care;
18 (3) emergency care; and
19 (4) prescription drugs.

20 SECTION 6. Section 1355.003(b), Insurance Code, is
21 repealed.

22 SECTION 7. The changes in law made by this Act apply only to
23 a plan year that commences on or after January 1, 2026. A plan year
24 that commenced before January 1, 2026, is governed by the law as it
25 existed immediately before the effective date of this Act, and that
26 law is continued in effect for that purpose.

27 SECTION 8. This Act takes effect September 1, 2025.