

## **BILL ANALYSIS**

C.S.H.B. 88  
By: McClendon  
Pensions & Investments  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It is well known that smoking causes more morbidity and mortality than any other single cause, with a devastating impact on the state's insurance and health care costs. There are approximately 270,000 state employees. An estimated 62,000 state employees are smokers.

It is clear that a greater emphasis on prevention is needed, and smoking cessation is one of the most important and most effective of the State's public health and preventive medicine initiatives.

Data suggests that as many as 80% of smokers would like to quit smoking, and that many have tried to quit one or more times. There is strong and consistent evidence that prescription pharmaceuticals, such as Zyban and nicotine replacements, are highly effective tools for smoking cessation, especially when used in conjunction with counseling and other regimens. However, current state employee insurance programs do not cover prescriptions for smoking cessation despite that fact that the long term health care savings are well documented.

As the State is the largest single employer of Texans, it is of paramount importance for the State to assist its employees in their efforts to quit smoking. The purpose of CSHB 88 is to ensure that Texas state employee insurance programs provide coverage for prescription medicines designed to assist with smoking cessation.

### **RULEMAKING AUTHORITY**

This bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 1551.205, Insurance Code, to provide that the board of trustees administering the Employees Retirement System of Texas may not approve a state employee health insurance plan that provides coverage for prescription drugs to assist in stopping smoking at a lower benefit level than is provided for other prescription drugs.

SECTION 2. Provides that this Act applies to coverage contracted for on or after September 1, 2004.

SECTION 3. Effective date.

### **EFFECTIVE DATE**

This Act takes effect September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

There are no substantial changes between the original bill and the committee substitute. The substitute bill is a Texas Legislative Council draft and uses Council language to accomplish the same result behind the originally filed bill.