

BILL ANALYSIS

Senate Research Center
78R1421 DLF-D

S.B. 41
By: Zaffirini
State Affairs
2/27/2003
As Filed

DIGEST AND PURPOSE

Under current Texas law, health plans are only required to cover those vaccines that are mandated by law. As a result, there are a number of important vaccines that may not be covered by a child's health plan, including Hepatitis A, pneumococcal, and influenza. As proposed, S.B. 41 amends the Insurance Code to require certain health plans to provide coverage for immunizations that are recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with the aim of encouraging a higher immunization rate among Texas children.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Commissioner of Insurance in SECTION 1 (Section 4, Article 21.52I, Insurance Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 21E, Insurance Code, by adding Article 21.52I as follows:

Art. 21.52I. HEALTH BENEFIT PLAN COVERAGE FOR IMMUNIZATIONS

Sec. 1. APPLICABILITY OF ARTICLE. Provides that this article 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 certain entities.

(b) Provides that this article applies to a small employer health benefit plan written under Chapter 26 of this code.

(c) Provides that this article does not apply to certain plans or policies.

Sec. 2. REQUIRED COVERAGE FOR IMMUNIZATIONS. (a) Requires a health benefit plan to provide coverage for immunizations as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

(b) Authorizes the coverage required by this section to be subject to annual deductibles, copayments, and coinsurance consistent with annual deductibles, copayment, and coinsurance required for other benefits under the health benefit plan.

Sec. 3. COVERAGE FOR CERTAIN CHILDHOOD IMMUNIZATIONS. Prohibits this article from applying to an immunization for which coverage is required under Section 3, Article 21.53F, Insurance Code, as added by Chapter 683, Acts of the 75th Legislature, Regular Session, 1997 or Section 9F, Texas Health Maintenance Organization Act (Article 20A.09F, Vernon's Texas Insurance Code).

Sec. 4. RULES. Authorizes the Commissioner of Insurance to adopt rules as necessary to implement this article.

SECTION 2. Effective date: September 1, 2003.

Makes application of this Act prospective to January 1, 2004.