

1-1 By: Brown of Kaufman (Senate Sponsor - Averitt) H.B. No. 1446
1-2 (In the Senate - Received from the House April 28, 2003;
1-3 May 1, 2003, read first time and referred to Committee on State
1-4 Affairs; May 21, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 May 21, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1446 By: Staples

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the eligibility of certain children for certain health
1-11 benefit coverage.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (M)(3), Section 2, Chapter 397, Acts
1-14 of the 54th Legislature, Regular Session, 1955 (Article 3.70-2,
1-15 Vernon's Texas Insurance Code), is amended to read as follows:

1-16 (3) Other policy provisions relating to maximum
1-17 limiting attained age and enrollment in school may be used to
1-18 establish continued eligibility for coverage of a child [~~less than~~
1-19 25 years of age or older. In the event of late enrollment, the
1-20 insurance company may require evidence of insurability
1-21 satisfactory to the company before inclusion of the child for
1-22 coverage under the policy.

1-23 SECTION 2. Section 3(a), Article 21.24-2, Insurance Code,
1-24 is amended to read as follows:

1-25 (a) Each health benefit plan that conditions coverage for a
1-26 child [~~up to~~] 25 years of age or older on the child's being a
1-27 full-time student at an educational institution shall provide the
1-28 coverage for an entire academic term during which the child begins
1-29 as a full-time student and remains enrolled, regardless of whether
1-30 the number of hours of instruction for which the child is enrolled
1-31 is reduced to a level that changes the child's academic status to
1-32 less than that of a full-time student. Additionally, the health
1-33 benefit plan shall provide the coverage continuously until the 10th
1-34 day of instruction of the subsequent academic term on which date the
1-35 health benefit plan may terminate coverage of the child if the child
1-36 does not return to full-time student status before that date. A
1-37 health benefit plan may not condition coverage for a child younger
1-38 than 25 years of age on the child's being enrolled at an educational
1-39 institution.

1-40 SECTION 3. This Act takes effect September 1, 2003, and
1-41 applies only to a health insurance policy or health benefit plan
1-42 that is delivered, issued for delivery, or renewed on or after
1-43 January 1, 2004. A policy or plan that is delivered, issued for
1-44 delivery, or renewed before January 1, 2004, is governed by the law
1-45 as it existed immediately before the effective date of this Act, and
1-46 that law is continued in effect for that purpose.

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