

By: Averitt

S.B. No. 1089

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the eligibility of certain children for certain health  
3 benefit coverage.

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

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

8 (3) Other policy provisions relating to maximum  
9 limiting attained age and enrollment in school may be used to  
10 establish continued eligibility for coverage of a child [~~less than~~  
11 25 years of age or older. In the event of late enrollment, the  
12 insurance company may require evidence of insurability  
13 satisfactory to the company before inclusion of the child for  
14 coverage under the policy.

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

17 (a) Each health benefit plan that conditions coverage for a  
18 child [~~up to~~] 25 years of age or older on the child's being a  
19 full-time student at an educational institution shall provide the  
20 coverage for an entire academic term during which the child begins  
21 as a full-time student and remains enrolled, regardless of whether  
22 the number of hours of instruction for which the child is enrolled  
23 is reduced to a level that changes the child's academic status to  
24 less than that of a full-time student. Additionally, the health

1 benefit plan shall provide the coverage continuously until the 10th  
2 day of instruction of the subsequent academic term on which date the  
3 health benefit plan may terminate coverage of the child if the child  
4 does not return to full-time student status before that date. A  
5 health benefit plan may not condition coverage for a child younger  
6 than 25 years of age on the child's being enrolled at an educational  
7 institution.

8 SECTION 3. This Act takes effect September 1, 2003, and  
9 applies only to a health insurance policy or health benefit plan  
10 that is delivered, issued for delivery, or renewed on or after  
11 January 1, 2004. A policy or plan that is delivered, issued for  
12 delivery, or renewed before January 1, 2004, is governed by the law  
13 as it existed immediately before the effective date of this Act, and  
14 that law is continued in effect for that purpose.