

By: Eissler

H.B. No. 712

A BILL TO BE ENTITLED

AN ACT

1
2 relating to coverage for certain mental disorders in children under
3 a health coverage plan established by the Teacher Retirement System
4 of Texas under the Texas School Employees Uniform Group Health
5 Coverage Act.

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

7 SECTION 1. Subchapter C, Chapter 1579, Insurance Code, is
8 amended by adding Section 1579.109 to read as follows:

9 Sec. 1579.109. CERTAIN MENTAL DISORDERS IN CHILDREN. (a)

10 In this section:

11 (1) "Child" means a person younger than 19 years of
12 age.

13 (2) "Mental disorder" means a disorder that is
14 identified in the Diagnostic and Statistical Manual of Mental
15 Disorders, fourth edition, or in a subsequent edition of that
16 manual that the commissioner by rule adopts to take the place of the
17 fourth edition or any subsequent edition for the purposes of this
18 subdivision and that results in a significant impairment of a
19 child's functioning in the child's community, family, school, or
20 peer group. The term does not include a primary substance abuse
21 disorder or a developmental disorder.

22 (b) A health coverage plan under this chapter must include
23 coverage for an enrollee who is a child for the diagnosis and
24 treatment of a mental disorder. Except as provided by this section,

1 coverage required under this subsection must be provided under the
2 same terms and conditions as coverage for diagnosis and treatment
3 of physical illness.

4 (c) Coverage required under this section may be provided or
5 offered through a managed care plan.

6 (d) Except as provided by this subsection, the health
7 coverage plan must cover inpatient stays and outpatient visits
8 under this section under the same terms and conditions as the plan
9 covers inpatient stays and outpatient visits for treatment of a
10 physical illness. Coverage required by this section may not be
11 subject to an annual or lifetime limit on the number of days of
12 inpatient treatment or the number of outpatient visits covered
13 under the plan.

14 (e) Coverage provided under this section must be subject to
15 the same amount limits, deductibles, copayments, and coinsurance
16 factors as coverage for physical illness.

17 (f) The trustee shall adopt rules as necessary to implement
18 this section.

19 SECTION 2. (a) On or before September 1, 2010, the Sunset
20 Advisory Commission shall conduct a study to determine:

21 (1) to what extent the health benefit plan coverage
22 required by Section 1579.109, Insurance Code, as added by this Act,
23 is being used by enrollees in health coverage plans to which that
24 section applies; and

25 (2) the impact of the required coverage on the cost of
26 those health coverage plans.

27 (b) The Sunset Advisory Commission shall report its

1 findings under this section to the legislature on or before January
2 1, 2011.

3 (c) The Teacher Retirement System of Texas, the Texas
4 Department of Insurance, and any other state agency shall cooperate
5 with the Sunset Advisory Commission as necessary to implement this
6 section.

7 SECTION 3. This Act applies only to group health coverage
8 under Chapter 1579, Insurance Code, as amended by this Act, on or
9 after September 1, 2005.

10 SECTION 4. This Act takes effect September 1, 2005.