

By: Eissler

H.B. No. 1602

A BILL TO BE ENTITLED

AN ACT

relating to high deductible health plans.

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

SECTION 1. Subtitle I, Title 8, Insurance Code, as effective April 1, 2005, is amended by adding Chapter 1653 to read as follows:

CHAPTER 1653. HIGH DEDUCTIBLE HEALTH PLAN

Sec. 1653.001. DEFINITION. In this chapter, "high deductible health plan" has the meaning assigned by Section 223, Internal Revenue Code of 1986.

Sec. 1653.002. APPLICABILITY OF OTHER LAW. (a) Subject to Subsection (b), a high deductible health plan is subject to any law mandating a minimum health insurance benefit or reimbursement.

(b) Notwithstanding any other law, a provision of this code may not be construed to prevent an insurer, health maintenance organization, or other entity issuing a health insurance policy or certificate of coverage from applying deductible or copayment requirements to benefits, including state-mandated health benefits, in order to qualify the health insurance policy or certificate of coverage as a high deductible health plan.

Sec. 1653.003. RULES. The commissioner shall adopt rules necessary to implement this chapter.

SECTION 2. The change in law made by this Act applies only to a health insurance policy or certificate of coverage that is

1 delivered, issued for delivery, or renewed on or after the
2 effective date of this Act. An insurance policy that is delivered,
3 issued for delivery, or renewed before the effective date of this
4 Act, is covered by the law in effect at the time the policy was
5 delivered, issued for delivery, or renewed, and that law is
6 continued in effect for that purpose.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2005.