

1 AN ACT

2 relating to high deductible health plans.

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

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

7 CHAPTER 1653. HIGH DEDUCTIBLE HEALTH PLAN

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

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

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

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

23 SECTION 2. The change in law made by this Act applies only  
24 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.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1602 was passed by the House on April 14, 2005, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1602 was passed by the Senate on May 10, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor