

1-1 By: Eissler (Senate Sponsor - Staples) H.B. No. 1602
1-2 (In the Senate - Received from the House April 18, 2005;
1-3 April 19, 2005, read first time and referred to Committee on State
1-4 Affairs; May 2, 2005, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 2, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to high deductible health plans.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subtitle I, Title 8, Insurance Code, as
1-11 effective April 1, 2005, is amended by adding Chapter 1653 to read
1-12 as follows:

1-13 CHAPTER 1653. HIGH DEDUCTIBLE HEALTH PLAN

1-14 Sec. 1653.001. DEFINITION. In this chapter, "high
1-15 deductible health plan" has the meaning assigned by Section 223,
1-16 Internal Revenue Code of 1986.

1-17 Sec. 1653.002. APPLICABILITY OF OTHER LAW. (a) Subject to
1-18 Subsection (b), a high deductible health plan is subject to any law
1-19 mandating a minimum health insurance benefit or reimbursement.

1-20 (b) Notwithstanding any other law, a provision of this code
1-21 may not be construed to prevent an insurer, health maintenance
1-22 organization, or other entity issuing a health insurance policy or
1-23 certificate of coverage from applying deductible or copayment
1-24 requirements to benefits, including state-mandated health
1-25 benefits, in order to qualify the health insurance policy or
1-26 certificate of coverage as a high deductible health plan.

1-27 Sec. 1653.003. RULES. The commissioner shall adopt rules
1-28 necessary to implement this chapter.

1-29 SECTION 2. The change in law made by this Act applies only
1-30 to a health insurance policy or certificate of coverage that is
1-31 delivered, issued for delivery, or renewed on or after the
1-32 effective date of this Act. An insurance policy that is delivered,
1-33 issued for delivery, or renewed before the effective date of this
1-34 Act, is covered by the law in effect at the time the policy was
1-35 delivered, issued for delivery, or renewed, and that law is
1-36 continued in effect for that purpose.

1-37 SECTION 3. This Act takes effect immediately if it receives
1-38 a vote of two-thirds of all the members elected to each house, as
1-39 provided by Section 39, Article III, Texas Constitution. If this
1-40 Act does not receive the vote necessary for immediate effect, this
1-41 Act takes effect September 1, 2005.

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