

By: Hochberg

H.B. No. 2810

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prohibition of certain questions of an applicant  
3 for health benefit plan coverage.

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

5 SECTION 1. Chapter 1206, Insurance Code, is amended by  
6 amending the title of the Chapter to read as follows:

7 CHAPTER 1206. PROHIBITION AGAINST CONDITIONING [DENIAL OF  
8 HEALTH BENEFIT PLAN ENROLLMENT [BASED] ON OTHER TRANSACTIONS  
9 [EXISTING COVERAGE PROHIBITED].

10 SECTION 2. Chapter 1206, Insurance Code, is amended by  
11 adding Section 1206.005 to read as follows:

12 Section 1206.005. DENIAL OF ENROLLMENT PROHIBITED. A  
13 health benefit plan issuer may not ask an individual whether the  
14 individual has previously been denied enrollment in a health  
15 benefit plan.

16 Section 3. The changes in laws made by this Act apply only  
17 to an insurance policy delivered, issued for delivery, or renewed  
18 on or after January 1, 2006. An insurance policy delivered, issued  
19 for delivery, or renewed before January 1, 2006 is governed by law  
20 in effect immediately before that effective date of this Act and  
21 that law is continued in effect for that purpose.

22 Section 5. The Act takes effect September 1, 2005.