

By: Shapleigh

S.B. No. 301

A BILL TO BE ENTITLED

AN ACT

relating to the collection and reporting of certain information regarding uninsured individuals in this state.

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

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter M to read as follows:

SUBCHAPTER M. DATA COLLECTING AND REPORTING

REGARDING CERTAIN UNINSURED INDIVIDUALS

Sec. 531.451. DEFINITIONS. In this subchapter:

(1) "Eligible employee" means an employee who works on a full-time basis and who usually works at least 30 hours a week. The term does not include an employee who works on a part-time, temporary, seasonal, or substitute basis.

(2) "Employee" means an individual employed by an employer.

(3) "Employer" means a person engaged in an industry affecting commerce who has 15 or more eligible employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year. The term includes this state or a political subdivision of this state.

(4) "Health benefit plan" means a group, blanket, or franchise insurance policy, a certificate issued under a group policy, a group hospital service contract, or a group subscriber contract or evidence of coverage issued by a health maintenance

1 organization that provides benefits for health care services. The
2 term does not include:

3 (A) accident-only or disability income insurance
4 coverage or a combination of accident-only and disability income
5 insurance coverage;

6 (B) credit-only insurance coverage;

7 (C) disability insurance coverage;

8 (D) coverage for a specified disease or illness;

9 (E) Medicare services under a federal contract;

10 (F) Medicare supplement and Medicare Select
11 benefit plans regulated in accordance with federal law;

12 (G) long-term care coverage or benefits, nursing
13 home care coverage or benefits, home health care coverage or
14 benefits, community-based care coverage or benefits, or any
15 combination of those coverages or benefits;

16 (H) coverage that provides limited-scope dental
17 or vision benefits;

18 (I) coverage provided by a single service health
19 maintenance organization;

20 (J) workers' compensation insurance coverage or
21 similar insurance coverage;

22 (K) hospital indemnity or other fixed indemnity
23 insurance coverage;

24 (L) reinsurance contracts issued on a stop-loss,
25 quota-share, or similar basis;

26 (M) short-term major medical contracts;

27 (N) liability insurance coverage, including

1 general liability insurance coverage and automobile liability
2 insurance coverage, and coverage issued as a supplement to
3 liability insurance coverage, including automobile medical payment
4 insurance coverage;

5 (O) coverage for on-site medical clinics;

6 (P) coverage that provides other limited
7 benefits specified by federal regulations; or

8 (Q) other coverage that:

9 (i) is similar to the coverage described by
10 this subdivision under which benefits for medical care are
11 secondary or incidental to other coverage benefits; and

12 (ii) is specified by federal regulations.

13 (5) "Program" means the data collection program
14 established under this subchapter.

15 (6) "Uninsured individual" means an individual who is
16 not eligible to receive and does not receive benefits for health
17 care services through:

18 (A) a health benefit plan;

19 (B) a federal health care program other than
20 Medicaid, including the TRICARE program or the Medicare program; or

21 (C) a benefit plan established in another
22 country.

23 Sec. 531.452. DATA COLLECTION PROGRAM; RULES. (a) The
24 commission shall develop and maintain a program to collect
25 statistical data and other information regarding uninsured
26 individuals in this state.

27 (b) The program must include appropriate demographic

1 information regarding uninsured individuals, and may include
2 information regarding employers who do not provide health benefit
3 plan coverage to their eligible employees.

4 (c) The commission shall adopt rules as necessary to
5 implement this subchapter, including rules relating to:

6 (1) any required reporting by employers or health
7 benefit plan issuers;

8 (2) reporting schedules;

9 (3) report forms;

10 (4) lists of data and information required to be
11 reported; and

12 (5) reporting procedures, guidelines, and criteria.

13 (d) The commission may obtain information from employers
14 and health benefit plan issuers as necessary to implement this
15 subchapter.

16 Sec. 531.453. COOPERATION WITH TEXAS DEPARTMENT OF
17 INSURANCE AND TEXAS WORKFORCE COMMISSION. (a) The commission may
18 enter into agreements with the Texas Department of Insurance and
19 Texas Workforce Commission as necessary to comply with this
20 subchapter.

21 (b) On request by the commission, the commissioner of
22 insurance and Texas Workforce Commission shall provide information
23 to the commission appropriate to the implementation of this
24 subchapter.

25 Sec. 531.454. COMPILATION OF DATA; PUBLIC REPORT. (a) The
26 commission shall compile the data and information derived from the
27 program on a composite basis by county.

1 (b) The commission shall prepare at least annually a written
2 report of the composite data and information collected under the
3 program.

4 (c) The commission shall make the report available to the
5 public on the commission's Internet website.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2005.