

BILL ANALYSIS

Senate Research Center
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S.B. 481
By: Van de Putte
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law does not require health benefit plans to provide coverage for enrollees who are minors and who suffer from self-inflicted injuries due to a suicide attempt or due to mental illness. According to studies, the majority of health insurance plans exclude expenses from injury or sickness resulting from attempted suicide or intentionally self-inflicted injury. The dangers of cutting include the physical loss of too much blood and infection. Cutting can become a compulsive behavior meaning that the more a person does it, the more he or she feels the need to do it.

There are an average of six deaths each day by suicide in Texas. In 2000, 2,093 people committed suicide in Texas. Of the suicides carried out, 90 percent are related to untreated or under-treated mental illness. Suicide is the third leading cause of death among 15–24 year olds and suicide is increasing among children 10–14 years old. In 2000, 33 children below the age of 14 committed suicide in Texas.

As proposed, S.B. 481 prohibits insurance companies from excluding coverage of self-inflicted injuries of a minor that occur in a suicide attempt or as a result of a serious mental illness. The bill directs insurance coverage to be extended to an enrollee who is a minor and who is suffering from a self-inflicted injury whether or not the injury results in the death of the enrollee and regardless of the enrollee's mental health.

Additionally, the bill amends the Insurance Code to establish that a health benefit plan must provide coverage for an enrollee, from birth to the date the enrollee is 18 years of age, for a physical injury to the enrollee that is self-inflicted in an attempt to commit suicide, or to an enrollee with a serious mental illness.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of insurance in SECTION 1 (Section 1373.006, Insurance Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle E, Title 8, Insurance Code, by adding Chapter 1373, as follows:

CHAPTER 1373. COVERAGE FOR CERTAIN SELF-INFLICTED PHYSICAL INJURIES BY MINORS

Sec. 1373.001. DEFINITIONS. Defines "enrollee" and "serious mental illness."

Sec. 1373.002. APPLICABILITY OF CHAPTER. (a) Provides that this chapter applies only to a health benefit plan (plan) that provides benefits for certain medical or surgical expenses and certain policies.

(b) Provides that this chapter applies to group health coverage made available by a school district in accordance with Section 22.004 (Group Health Benefits for School Employees), Education Code.

(c) Provides that, notwithstanding Section 172.014 (Application of Certain Laws), Local Government Code, or any other law, this chapter applies to health and

accident coverage provided by a risk pool created under Chapter 172 (Texas Political Subdivisions Uniform Group Benefits Plan), Local Government Code.

(d) Sets forth certain plans to which this chapter applies, notwithstanding provisions in other law.

(e) Provides that, notwithstanding any other law, a standard plan provided under Chapter 1507 (Consumer Choice of Benefits Plan), Insurance Code, must provide the coverage required by this chapter.

Sec. 1373.003. EXCEPTION. Sets forth certain plans and policies to which this chapter does not apply.

Sec. 1373.004. COVERAGE REQUIRED. Requires a plan, regardless of whether it provides mental health coverage, to provide coverage for an enrollee from birth to age 18, for a physical injury to the enrollee that is self-inflicted as a result of attempted suicide or a serious mental illness.

Sec. 1373.005. DEDUCTIBLE, COINSURANCE, AND COPAYMENT REQUIREMENTS. Prohibits benefits required under this chapter from being subject to a deductible, coinsurance, or copayment requirement exceeding the deductible, coinsurance, or copayment requirement applicable to other physical injury benefits that the plan provides.

Sec. 1373.006. RULES. Requires the commissioner of insurance to adopt rules necessary to administer this chapter.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.