

By: Averitt

S.B. No. 1682

A BILL TO BE ENTITLED

AN ACT

relating to the enrollment of certain children and recipients of medical assistance in group health benefit plans.

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

SECTION 1. Subsection (a), Section 1207.002, Insurance Code, is amended to read as follows:

(a) A group health benefit plan issuer shall permit an individual who is otherwise eligible for enrollment in the plan to enroll in the plan, without regard to any enrollment period restriction, on receipt of written notice from the Health and Human Services Commission [~~or a designee of the commission stating~~] that the individual is:

(1) a recipient of medical assistance under the state Medicaid program and is a participant in the health insurance premium payment reimbursement program under Section 32.0422, Human Resources Code; or

(2) a child eligible for [~~enrolled in~~] the state child health plan under Chapter 62, Health and Safety Code, and eligible to participate [~~is a participant~~] in the health insurance premium assistance program under Section 62.059, Health and Safety Code.

SECTION 2. Section 1207.003, Insurance Code, is amended to read as follows:

Sec. 1207.003. EFFECTIVE DATE OF ENROLLMENT. (a) Unless enrollment occurs during an established enrollment period,

1 enrollment in a group health benefit plan under Section 1207.002
2 takes effect on:

3 (1) the eligibility enrollment date specified in the
4 written notice from the Health and Human Services Commission under
5 Section 1207.002(a); or

6 (2) the first day of the first calendar month that
7 begins at least 30 days after the date written notice or a written
8 request is received by the plan issuer under Section 1207.002(a) or
9 (b), as applicable.

10 (b) Notwithstanding Subsection (a), the individual must
11 comply with a waiting period required under the state child health
12 plan under Chapter 62, Health and Safety Code, or under the health
13 insurance premium assistance program under Section 62.059, Health
14 and Safety Code, as applicable.

15 SECTION 3. Subsection (b), Section 1207.004, Insurance
16 Code, is amended to read as follows:

17 (b) Notwithstanding any other requirement of a group health
18 benefit plan, the plan issuer shall permit an individual who is
19 enrolled in the plan under Section 1207.002(a)(2), and any family
20 member of the individual enrolled under Section 1207.002(c), to
21 terminate enrollment in the plan not later than the 60th day after
22 the date on which the individual provides a written request to
23 disenroll from the plan because the individual ~~[satisfactory proof~~
24 ~~to the issuer that the child is]~~ no longer wishes to participate ~~[a~~
25 ~~participant]~~ in the health insurance premium assistance program
26 under Section 62.059, Health and Safety Code.

27 SECTION 4. This Act takes effect September 1, 2007.