

By: Averitt

S.B. No. 1682

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the enrollment of certain children and recipients of  
3 medical assistance in group health benefit plans.

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

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

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

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

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

22 SECTION 2. Section 1207.003, Insurance Code, is amended and  
23 Subsection (b) is added to read as follows:

24 Sec. 1207.003. EFFECTIVE DATE OF ENROLLMENT. (a) Unless

1 enrollment occurs during an established enrollment period,  
2 enrollment in a group health benefit plan under Section 1207.002  
3 takes effect on:

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

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

11 (b) Notwithstanding the provisions in Subsection (a), the  
12 individual must comply with any required waiting periods under the  
13 state child health plan under Chapter 62, Health and Safety Code or  
14 under the health insurance premium assistance program under Section  
15 62.059, Health and Safety Code, as applicable.

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

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

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