

By: Jackson

S.B. No. 2040

A BILL TO BE ENTITLED

AN ACT

relating to coverage for bariatric surgical procedures for certain state employees.

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

SECTION 1. Subtitle B, Title 6, Government Code, is amended by adding Chapter 672 to read as follows:

CHAPTER 672. BARIATRIC SURGERY BENEFITS FOR STATE EMPLOYEES

Sec. 672.001. DEFINITION. In this chapter, "state agency" means a department, institution, commission, or other agency of the state.

Sec. 672.002. PROVISION OF BENEFIT. (a) In this section, "service" means personal service to the state creditable in accordance with rules adopted by the board of trustees of the Employees Retirement System of Texas.

(b) Except as provided by Subsection (c), a state agency may use available public funds to provide to an employee of the state agency with at least five years of service coverage for the expenses of bariatric surgical procedures.

(c) Coverage may not be provided to an employee under this section to the extent that coverage is available to the employee under Chapter 1551, Insurance Code.

SECTION 2. (a) An interim committee is created to study the cost that the state would be expected to incur and the benefits the state would be expected to realize by providing coverage for

1 bariatric surgical procedures for state employees. The committee
2 shall also study the short-term and long-term risks and benefits to
3 overweight or obese individuals of weight loss accomplished through
4 bariatric surgical procedures or other methods, in terms of the
5 individuals' health, well-being, and productivity. The committee's
6 study must include, to the extent feasible, a study of the costs
7 incurred and benefits realized by any agency or political
8 subdivision of the state that has provided benefits for bariatric
9 surgical procedures to the employees of the agency or political
10 subdivision and the outcomes realized by those employees. An
11 agency or political subdivision that provides a benefit described
12 by this subsection shall provide the committee with any information
13 related to the provision of those benefits, other than information
14 that would identify the recipient of the benefit.

15 (b) The committee consists of the following five members:

16 (1) two senators appointed by the lieutenant governor;

17 (2) two representatives appointed by the speaker of
18 the house of representatives; and

19 (3) one member appointed by the governor, who shall
20 serve as the committee's presiding officer.

21 (c) The committee shall convene at the call of the presiding
22 officer.

23 (d) The committee has all other powers and duties provided
24 to a special or select committee by the rules of the senate and
25 house of representatives, by Subchapter B, Chapter 301, Government
26 Code, and by policies of the senate and house committees on
27 administration.

1 (e) From the contingent expense fund of the senate and the
2 contingent expense fund of the house of representatives equally,
3 the members of the committee are entitled to reimbursement for
4 expenses incurred in carrying out the provisions of this section in
5 accordance with the rules of the senate and house of
6 representatives and the policies of the senate and house committees
7 on administration.

8 (f) Not later than January 15, 2009, the committee shall
9 report the committee's findings and recommendations to the
10 lieutenant governor, the speaker of the house of representatives,
11 and the governor. The committee shall include in its
12 recommendations specific statutory changes that appear necessary
13 or advisable from the results of the committee's study under
14 Subsection (a) of this section, including changes to Chapter 1551,
15 Insurance Code.

16 (g) Not later than the 60th day after the effective date of
17 this Act, the lieutenant governor, the speaker of the house of
18 representatives, and the governor shall appoint the members of the
19 interim committee created under this section.

20 (h) This section expires September 1, 2009.

21 SECTION 3. This Act takes effect September 1, 2007.