

1-1 By: Allen, Lucio III, Thompson H.B. No. 451  
1-2 (Senate Sponsor - Lucio)  
1-3 (In the Senate - Received from the House May 18, 2009;  
1-4 May 19, 2009, read first time and referred to Committee on State  
1-5 Affairs; May 23, 2009, reported favorably by the following vote:  
1-6 Yeas 8, Nays 0; May 23, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to health benefit plan coverage for autism spectrum  
1-10 disorder.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 1355.002, Insurance Code, is amended to  
1-13 read as follows:

1-14 Sec. 1355.002. APPLICABILITY OF SUBCHAPTER. (a) This  
1-15 subchapter applies only to a group health benefit plan that  
1-16 provides benefits for medical or surgical expenses incurred as a  
1-17 result of a health condition, accident, or sickness, including:

1-18 (1) a group insurance policy, group insurance  
1-19 agreement, group hospital service contract, or group evidence of  
1-20 coverage that is offered by:

1-21 (A) an insurance company;

1-22 (B) a group hospital service corporation  
1-23 operating under Chapter 842;

1-24 (C) a fraternal benefit society operating under  
1-25 Chapter 885;

1-26 (D) a stipulated premium company operating under  
1-27 Chapter 884; or

1-28 (E) a health maintenance organization operating  
1-29 under Chapter 843; and

1-30 (2) to the extent permitted by the Employee Retirement  
1-31 Income Security Act of 1974 (29 U.S.C. Section 1001 et seq.), a plan  
1-32 offered under:

1-33 (A) a multiple employer welfare arrangement as  
1-34 defined by Section 3 of that Act; or

1-35 (B) another analogous benefit arrangement.

1-36 (b) Notwithstanding any provision in Chapter 1575 or 1579 or  
1-37 any other law, Section 1355.015 applies to:

1-38 (1) a basic plan under Chapter 1575; and

1-39 (2) a primary care coverage plan under Chapter 1579.

1-40 SECTION 2. Section 1355.015(a), Insurance Code, is amended  
1-41 to read as follows:

1-42 (a) At a minimum, a health benefit plan must provide  
1-43 coverage as provided by this section to an enrollee [~~older than two~~  
1-44 ~~years of age and younger than six years of age~~] who is diagnosed  
1-45 with autism spectrum disorder from the date of diagnosis until the  
1-46 enrollee completes nine years of age. If an enrollee who is being  
1-47 treated for autism spectrum disorder becomes 10 [~~six~~] years of age  
1-48 or older and continues to need treatment, this subsection does not  
1-49 preclude coverage of treatment and services described by Subsection  
1-50 (b).

1-51 SECTION 3. This Act applies only to a health benefit plan  
1-52 delivered, issued for delivery, or renewed on or after January 1,  
1-53 2010. A health benefit plan delivered, issued for delivery, or  
1-54 renewed before January 1, 2010, is governed by the law as it existed  
1-55 immediately before the effective date of this Act, and that law is  
1-56 continued in effect for that purpose.

1-57 SECTION 4. This Act takes effect September 1, 2009.

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