

By: Farabee

H.B. No. 868

A BILL TO BE ENTITLED

AN ACT

relating to health benefit plan coverage for certain mental disorders.

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

SECTION 1. Section 1355.001(1), Insurance Code, is amended to read as follows:

(1) "Serious mental illness" means the following psychiatric illnesses as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual (DSM):

(A) bipolar disorders (hypomanic, manic, depressive, and mixed);

(B) depression in childhood and adolescence;

(C) major depressive disorders (single episode or recurrent);

(D) obsessive-compulsive disorders;

(E) paranoid and other psychotic disorders;

(F) schizo-affective disorders (bipolar or depressive); ~~and~~

(G) schizophrenia; and

(H) anorexia nervosa and bulimia nervosa.

SECTION 2. Section 1355.007, Insurance Code, is amended to read as follows:

Sec. 1355.007. SMALL EMPLOYER COVERAGE. (a) An issuer of a group health benefit plan to a small employer must offer the

1 coverage described by Section 1355.004 to the employer but is not  
2 required to provide the coverage if the employer rejects the  
3 coverage.

4 (b) Regardless of whether a small employer accepts the  
5 coverage required by Subsection (a), an issuer of a group health  
6 benefit plan to a small employer must provide the coverage required  
7 by Section 1355.004 for persons under the age of 19 years for the  
8 following psychiatric illnesses as defined by the American  
9 Psychiatric Association in the Diagnostic and Statistical Manual  
10 (DSM):

11 (1) depression in childhood and adolescence; and

12 (2) anorexia nervosa and bulimia nervosa.

13 SECTION 3. (a) On or before September 1, 2014, the Sunset  
14 Advisory Commission shall conduct a study to determine:

15 (1) to what extent the health benefit plan coverage  
16 required by the change in law made by this Act to Chapter 1355,  
17 Insurance Code, is being used by enrollees in health benefit plans  
18 to which those articles apply; and

19 (2) the impact of the required coverage on the cost of  
20 those health benefit plans.

21 (b) The Sunset Advisory Commission shall report its  
22 findings under this section to the legislature on or before January  
23 1, 2015.

24 (c) The Texas Department of Insurance and any other state  
25 agency shall cooperate with the Sunset Advisory Commission as  
26 necessary to implement this section.

27 SECTION 4. This Act applies only to a health benefit plan

1 delivered, issued for delivery, or renewed on or after January 1,  
2 2010. A health benefit plan delivered, issued for delivery, or  
3 renewed before January 1, 2010, is governed by the law as it existed  
4 immediately before the effective date of this Act, and that law is  
5 continued in effect for that purpose.

6 SECTION 5. This Act takes effect September 1, 2009.