

By: Nelson

S.B. No. 78

A BILL TO BE ENTITLED

AN ACT

relating to promoting awareness and education about the purchase and availability of health coverage.

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

SECTION 1. Chapter 524, Insurance Code, is amended to read as follows:

CHAPTER 524. TEXLINK TO HEALTH COVERAGE [~~AWARENESS AND EDUCATION~~] PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 524.001. DEFINITIONS. In this chapter:

(1) "Division" means the division of the department that administers the TexLink to Health Coverage Program.

(2) "Program" means the TexLink to Health Coverage Program established in accordance with this chapter.

Sec. 524.002. DIVISION RESPONSIBILITIES. Under the direction of the commissioner, the division implements this chapter.

Sec. 524.003. TEXLINK TO HEALTH COVERAGE PROGRAM ESTABLISHED. (a) The department shall develop and implement a health coverage [~~public awareness and education~~] program that complies with this chapter. The program must:

(1) educate the public about the importance and value of health coverage;

(2) promote personal responsibility for health care

1 through the purchase of health coverage;

2 (3) assist small employers, individuals, and others
3 seeking to purchase health coverage with technical information
4 necessary to understand available health coverage products;

5 (4) promote and facilitate the development and
6 availability of new health coverage options;

7 (5) increase public awareness of health coverage
8 options available in this state; and

9 (6) [(2) educate the public on the value of health
10 coverage; and

11 [(3)] provide information on health coverage options,
12 including health savings accounts and compatible high deductible
13 health benefit plans.

14 (b) The program must include a public awareness and
15 education component.

16 SUBCHAPTER B. PUBLIC AWARENESS AND EDUCATION

17 Sec. 524.051. INFORMATION ABOUT SPECIFIC HEALTH BENEFIT
18 PLAN ISSUERS. In materials produced for the program, the division
19 [department] may include information about specific health benefit
20 plan [coverage] issuers but may not favor or endorse one particular
21 issuer over another.

22 Sec. 524.052 [524.002]. PUBLIC SERVICE ANNOUNCEMENTS. The
23 division [department] shall develop and make public service
24 announcements to educate consumers and employers about the
25 availability of health coverage in this state.

26 Sec. 524.053 [524.003]. INTERNET WEBSITE; PRINTED
27 MATERIALS; NEWSLETTER [PUBLIC EDUCATION]. (a) The division

1 ~~[department]~~ shall develop an Internet website and printed
2 materials designed to educate small employers, individuals, and
3 others seeking to purchase health coverage ~~[the public]~~ about ~~[the~~
4 ~~availability of]~~ health coverage in accordance with Section
5 524.003(a) ~~[this state, including information about health savings~~
6 ~~accounts and compatible high deductible health benefit plans]~~.

7 (b) The division shall make the printed materials produced
8 under the program available to small employers, individuals, and
9 others seeking to purchase health coverage. The division may:

10 (1) distribute the printed materials through
11 facilities such as libraries, health care facilities, and schools
12 as well as other venues the division selects; and

13 (2) use other distribution methods the division
14 selects.

15 (c) The division may produce a newsletter to provide updated
16 information about health coverage to subscribers who elect to
17 receive the newsletter. The division may:

18 (1) produce a newsletter under this subsection for
19 small employers, for individuals, or for other purchasers of health
20 coverage;

21 (2) distribute the newsletter on a monthly, quarterly,
22 or other basis; and

23 (3) distribute the newsletter as a printed document or
24 electronically.

25 Sec. 524.054. TOLL-FREE TELEPHONE HOTLINE; ACCESS TO
26 INFORMATION. (a) The division may operate a toll-free telephone
27 hotline to respond to inquiries and provide information and

1 technical assistance concerning health coverage products.

2 (b) The Health and Human Services Commission, through its
3 2-1-1 telephone number for access to human services, may
4 disseminate information regarding health coverage products
5 provided to the commission by the department and may refer
6 inquiries regarding health coverage products to the toll-free
7 telephone hotline. The department may provide information to the
8 Health and Human Services Commission as necessary to implement this
9 subsection.

10 Sec. 524.055. EDUCATION FOR HIGH SCHOOL STUDENTS. (a) The
11 division may develop educational materials and a curriculum to be
12 used in high school classes that educate students about:

- 13 (1) the importance and value of health coverage;
14 (2) comparing health benefit plans; and
15 (3) understanding basic provisions contained in
16 health benefit plans.

17 (b) The division may consult with the Texas Education Agency
18 in developing educational materials and a curriculum under this
19 section.

20 Sec. 524.056. HEALTH COVERAGE FAIRS. (a) The division may
21 conduct health coverage fairs to provide small employers,
22 individuals, and others seeking to purchase health coverage the
23 opportunity to obtain information about health coverage from
24 division employees and from health benefit plan issuers and agents
25 that elect to participate.

26 (b) The division shall seek to obtain funding for health
27 coverage fairs conducted under this section through gifts and

1 grants obtained in accordance with Subchapter C.

2 Sec. 524.057. COMMUNITY EVENTS. The division may
3 participate in events held in this state to promote awareness of the
4 importance and value of health coverage and to educate small
5 employers, individuals, and others seeking to purchase health
6 coverage about health coverage in accordance with Section
7 524.003(a).

8 Sec. 524.058. HEALTH COVERAGE PROVIDED THROUGH COLLEGES AND
9 UNIVERSITIES. The division may cooperate with a public or private
10 college or university to promote enrollment in health coverage
11 programs sponsored by or through the college or university.

12 Sec. 524.059. SUPPORT FOR COMMUNITY-BASED PROJECTS. The
13 division may provide support and assistance to individuals and
14 organizations seeking to develop community-based health coverage
15 plans for uninsured individuals.

16 Sec. 524.060. OTHER EDUCATION. The division may [~~department~~
17 ~~shall~~] provide other appropriate education to the public regarding
18 health coverage and the importance and value of health coverage in
19 accordance with Section 524.003(a).

20 Sec. 524.061 [524.004]. TASK FORCE. (a) The commissioner
21 may [~~shall~~] appoint a task force to make recommendations regarding
22 the division's duties under this subchapter [~~health coverage public~~
23 ~~awareness and education program~~]. If appointed, the [~~The~~] task
24 force must be [~~is~~] composed of:

25 (1) one representative from each of the following
26 groups or entities:

27 (A) health [~~benefit~~] coverage consumers;

- 1 (B) small employers;
- 2 (C) employers generally;
- 3 (D) insurance agents;
- 4 (E) the office of public insurance counsel;
- 5 (F) the Texas Health Insurance Risk Pool;
- 6 (G) physicians;
- 7 (H) advanced practice nurses;
- 8 (I) hospital trade associations; and
- 9 (J) medical units of institutions of higher
10 education;

11 (2) a representative of the Health and Human Services
12 Commission responsible for programs under Medicaid and the
13 children's health insurance program; ~~and~~

14 (3) one or more representatives of health benefit plan
15 issuers; and

16 (4) one or more representatives of a regional or local
17 health care program for employees of small employers under Chapter
18 75, Health and Safety Code.

19 (b) In addition to the individuals listed in Subsection (a),
20 the commissioner may select to serve on any task force one or more
21 individuals with experience in public relations, marketing, or
22 another related field of professional services.

23 (c) The division may ~~[department shall]~~ consult the task
24 force regarding the content for the public service announcements,
25 Internet website, printed materials, and other educational
26 materials required or authorized by this subchapter ~~[chapter]~~. The
27 commissioner has authority to make final decisions as to what the

1 program's materials will contain.

2 Sec. 524.062. FEDERAL TAX "TOOL KIT" FOR CERTAIN
3 BUSINESSES. The department may:

4 (1) produce materials that:

5 (A) provide step-by-step instructions for a
6 small employer or single-employee business that is obtaining health
7 coverage for the benefit of the employer or business and the
8 employees of the business; and

9 (B) are designed to allow the employer or
10 business to obtain the coverage in a manner that qualifies for
11 favorable treatment under federal tax laws; and

12 (2) make department staff available to assist small
13 employers and single-employee businesses that are obtaining health
14 coverage as described by Subdivision (1).

15 Sec. 524.063. ASSISTANCE FOR SMALL EMPLOYERS AND
16 SINGLE-EMPLOYEE BUSINESSES. The department may train staff
17 concerning available health coverage options for small employers
18 and single-employee businesses to:

19 (1) respond to telephone inquiries from small
20 employers and single-employee businesses; and

21 (2) speak at events to provide information about
22 health coverage options for small employers and single-employee
23 businesses and about the importance and value of health coverage.

24 Sec. 524.064. ACCOUNTANT. The department may employ an
25 accountant with experience in federal tax law and the purchase of
26 group health coverage as necessary to implement this chapter.

1 SUBCHAPTER C. FUNDING

2 Sec. 524.101 [~~524.005~~]. FUNDING. The department may accept
3 gifts and grants from any party, including a health benefit plan
4 issuer or a foundation associated with a health benefit plan
5 issuer, to assist with funding the program. The department shall
6 adopt rules governing acceptance of donations that are consistent
7 with Chapter 575, Government Code. Before adopting rules under
8 this section [~~subsection~~], the department shall:

9 (1) submit the proposed rules to the Texas Ethics
10 Commission for review; and

11 (2) consider the commission's recommendations
12 regarding the regulations.

13 SECTION 2. This Act takes effect September 1, 2009.