

AN ACT

relating to access to certain counselors and therapists.

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

SECTION 1. Section 1451.114, Insurance Code, is amended to read as follows:

Sec. 1451.114. SELECTION OF LICENSED PROFESSIONAL COUNSELOR. ~~[(a)]~~ An insured may select a licensed professional counselor to provide the services scheduled in the health insurance policy that are within the scope of the counselor's license.

~~[(b) The health insurance policy may require that services of a licensed professional counselor must be recommended by a physician.]~~

SECTION 2. Section 1451.116, Insurance Code, is amended to read as follows:

Sec. 1451.116. SELECTION OF MARRIAGE AND FAMILY THERAPIST. ~~[(a)]~~ An insured may select a marriage and family therapist to provide the services scheduled in the health insurance policy that are within the scope of the therapist's license.

~~[(b) The health insurance policy may require that services of a marriage and family therapist must be recommended by a physician.]~~

SECTION 3. This Act applies only to an insurance policy or contract or evidence of coverage that is delivered, issued for delivery, or renewed on or after January 1, 2010. An insurance

1 policy or contract or evidence of coverage delivered, issued for
2 delivery, or renewed before January 1, 2010, is governed by the law
3 as it existed immediately before the effective date of this Act, and
4 that law is continued in effect for that purpose.

5 SECTION 4. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1291 passed the Senate on April 23, 2009, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1291 passed the House on May 19, 2009, by the following vote: Yeas 145, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor