

1-1 By: Carona S.B. No. 1479
1-2 (In the Senate - Filed March 9, 2009; March 17, 2009, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 20, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 20, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1479 By: Ellis

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to benefits payable under certain health coverages.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subtitle E, Title 8, Insurance Code, is amended
1-13 by adding Chapter 1425 to read as follows:

1-14 CHAPTER 1425. APPLICATION OF SUBTITLE TO CERTAIN COVERAGE
1-15 Sec. 1425.001. EXEMPTION FROM APPLICATION OF SUBTITLE.
1-16 (a) Except as provided by Section 1425.002, a provision of this
1-17 subtitle that becomes effective on or after January 2, 2010, does
1-18 not apply to:

1-19 (1) a plan that provides coverage only:
1-20 (A) for a specified disease or diseases or under
1-21 an individual limited benefit policy;

1-22 (B) for accidental death or dismemberment;
1-23 (C) as a supplement to a liability insurance
1-24 policy; or

1-25 (D) for dental or vision care;
1-26 (2) disability income insurance coverage or a
1-27 combination of accident-only and disability income insurance
1-28 coverage;

1-29 (3) credit insurance coverage;

1-30 (4) a hospital confinement indemnity policy;

1-31 (5) a Medicare supplemental policy as defined by
1-32 Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

1-33 (6) a workers' compensation insurance policy;

1-34 (7) medical payment insurance coverage provided under
1-35 a motor vehicle insurance policy;

1-36 (8) a long-term care insurance policy, including a
1-37 nursing home fixed indemnity policy, except as provided by
1-38 Subsection (b); or

1-39 (9) an occupational accident policy.

1-40 (b) A long-term care insurance policy, including a nursing
1-41 home fixed indemnity policy, is subject to this subtitle if the
1-42 commissioner determines that the policy provides benefits so
1-43 comprehensive that it is a health benefit plan and should not be
1-44 subject to the exemption provided under this section.

1-45 Sec. 1425.002. SPECIFIC LANGUAGE CONTROLS. A provision of
1-46 this subtitle that becomes effective on or after January 2, 2010,
1-47 and that requires coverage or the offer of coverage of a health care
1-48 service or benefit applies to a plan or policy described by Section
1-49 1425.001(a) only to the extent expressly and specifically provided
1-50 by law.

1-51 SECTION 2. This Act takes effect immediately if it receives
1-52 a vote of two-thirds of all the members elected to each house, as
1-53 provided by Section 39, Article III, Texas Constitution. If this
1-54 Act does not receive the vote necessary for immediate effect, this
1-55 Act takes effect September 1, 2009.

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