

House Bill 451
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision

SECTION __. (a) Subchapter D, Chapter 117, Human Resources Code, is amended by adding Section 117.075 to read as follows:

Sec. 117.075. AUTISM PROGRAM. (a) To the extent appropriated money is available for the purpose, the department shall provide services to children not younger than three or older than eight years of age who are diagnosed with autism spectrum disorder, to enhance communication, social, and independent living skills so that the children may fully participate in society.

(b) The services must include applied behavioral analysis and must complement and not duplicate services outlined in a child's individualized education plan developed by an independent school district.

(b) The executive commissioner of the Health and Human Services Commission shall develop the autism program required under Section 117.075, Human Resources Code, as added by this Act, not later than January 1, 2010.

Same as House version.

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

Sec. 1355.002. APPLICABILITY OF SUBCHAPTER.

(a) This subchapter applies only to a group health benefit plan that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including:

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

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- (A) an insurance company;
 - (B) a group hospital service corporation operating under Chapter 842;
 - (C) a fraternal benefit society operating under Chapter 885;
 - (D) a stipulated premium company operating under Chapter 884; or
 - (E) a health maintenance organization operating under Chapter 843; and
- (2) to the extent permitted by the Employee Retirement Income Security Act of 1974 (29 U.S.C. Section 1001 et seq.), a plan offered under:
- (A) a multiple employer welfare arrangement as defined by Section 3 of that Act; or
 - (B) another analogous benefit arrangement.
- (b) Notwithstanding any provision in Chapter 1575 or 1579 or any other law, Section 1355.015 applies to:
- (1) a basic plan under Chapter 1575; and
 - (2) a primary care coverage plan under Chapter 1579.

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

(a) At a minimum, a health benefit plan must provide coverage as provided by this section to an enrollee ~~older than two years of age and younger than six years of age~~ who is diagnosed with autism spectrum disorder from the date of diagnosis until the enrollee completes nine years of age. If an enrollee who is being treated for autism spectrum disorder becomes 10 ~~six~~ years of age or older and continues to need treatment, this subsection does not

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preclude coverage of treatment and services described by Subsection (b).

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

Same as House version.

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

Same as House version.