

House Bill 1322
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.463 to read as follows:
Sec. 21.463. RESOURCES FOR TEACHERS OF STUDENTS WITH SPECIAL HEALTH NEEDS. The agency, in coordination with the Health and Human Services Commission, shall establish and maintain an Internet website to provide resources for teachers who teach students with special health needs. The agency shall include on the website information about:
(1) the treatment and management of chronic illnesses and how such illnesses impact a student's well-being or ability to succeed in school; and
(2) food allergies that are common among students, including information about preventing exposure to a specific food when necessary to protect a student's health and information about treating a student suffering from an allergic reaction to a food.

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

SENATE VERSION

Same as House version.

Same as House version.

CONFERENCE

The following rows were presented as the engrossed version of Senate Bill 1062, relating to creating an online resource center for individuals handling child abuse and

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neglect cases.

No equivalent provision.

SECTION __. Amend Chapter 264, Family Code, is by adding Subchapter K to read as follows:

SUBCHAPTER K. ONLINE RESOURCE CENTER

Sec. 264.821. DEFINITIONS. In this subchapter:

(1) "Communications tool" means an online method for peer-to-peer communication among individuals who handle child abuse and neglect cases.

(2) "Office" means the Office of Court Administration of the Texas Judicial System.

(3) "Online resource center" means a single interactive Internet website that provides, to individuals who handle child abuse and neglect cases, timely informational materials pertinent to child abuse and neglect cases in this state, which may include summaries of Texas cases and statutes relating to child abuse and neglect, sample briefs and other legal forms, articles and papers, manuals with information on Texas legal practice and practice tips, a conference calendar, and communications tools.

Sec. 264.822. CONTRACT. (a) The office shall contract with an entity to provide an online resource center if:

(1) the office is specifically appropriated money in an amount adequate to provide the online resource center;
and

(2) there is a qualified entity with whom the office is able to contract.

(b) The online resource center must:

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(1) provide a means of searching for informational materials by subject; and

(2) include a:

(A) communications tool for judges; and

(B) communications tool for attorneys.

(c) The contract under this section must prohibit the entity with which the office contracts from spending more than 12 percent of the contract price on the entity's indirect or administrative overhead expenses.

(d) If the office does not enter into a contract in accordance with this subchapter, the office may not receive the funds appropriated to the office in connection with this subchapter.

Sec. 264.823. ELIGIBILITY FOR CONTRACT. The entity with which the office contracts under this subchapter must:

(1) have experience in operating an online resource center specifically designed for judges and attorneys handling child abuse and neglect cases in this state;

(2) have experience in providing a communications tool; and

(3) employ or contract with at least one attorney who is licensed to practice law in this state and who specializes in child abuse and neglect cases to compile the materials for and oversee the operation of the online resource center.

Sec. 264.824. FUNDING. (a) The entity with which the office contracts under this subchapter may obtain funding from private foundations and individuals, from state and federal grants, and from any other source to

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operate the online resource center.
(b) The entity must maintain and provide to the office records that adequately identify:
(1) each person who provided funds to the entity to operate the online resource center; and
(2) the amount of funds the person provided.
Sec. 264.825. CONFIDENTIALITY. All communications conducted through a communications tool provided in connection with the online resource center implemented under this subchapter are privileged and confidential.

No equivalent provision.

SECTION __. This Act does not make an appropriation. A provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

No equivalent provision.

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

The following rows were presented as containing language identical to a previous amendment to Senate Bill 815, relating to consumer labeling requirements for and the provision of certain information concerning health benefit plans; providing penalties.

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No equivalent provision.

SECTION __. (a) Section 32.101, Insurance Code, is amended to read as follows:

Sec. 32.101. APPLICABILITY OF SUBCHAPTER. (a) This subchapter applies to insurers who comprise the top 25 insurance groups in the national market and who issue residential property insurance or personal automobile insurance policies in this state, including a Lloyd's plan, a reciprocal or interinsurance exchange, a county mutual insurance company, a farm mutual insurance company, the Texas Windstorm Insurance Association, the FAIR Plan Association, and the Texas Automobile Insurance Plan Association.

(b) This subchapter applies to an issuer of a health benefit plan described by Section 544.301, as added by Chapter 748 (H.B. 2810), Acts of the 79th Legislature, Regular Session, 2005.

(b) This section takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes does not become law.

No equivalent provision.

SECTION __. (a) Section 32.101, Insurance Code, is amended to read as follows:

Sec. 32.101. APPLICABILITY OF SUBCHAPTER. (a) This subchapter applies to insurers who comprise the top 25 insurance groups in the national market and who issue residential property insurance or personal automobile insurance policies in this state, including a Lloyd's plan, a reciprocal or interinsurance exchange, a county mutual

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insurance company, a farm mutual insurance company, the Texas Windstorm Insurance Association, the FAIR Plan Association, and the Texas Automobile Insurance Plan Association.

(b) This subchapter applies to an issuer of a health benefit plan described by Section 544.501.

(b) This section takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes becomes law.

No equivalent provision.

SECTION __. Section 32.102(a), Insurance Code, is amended to read as follows:

(a) The department, in conjunction with the office of public insurance counsel, shall establish and maintain a single Internet website that provides information to enable consumers to make informed decisions relating to the purchase of health insurance, residential property insurance, and personal automobile insurance. The website must include:

(1) a description of each type of residential property insurance policy and personal automobile insurance policy issued in this state, including a comparison of the coverage, exclusions, and restrictions of each policy that allows a side-by-side comparison of the features of the policy forms;

(2) a listing of each insurer writing residential property insurance or personal automobile insurance in this state, indexed by each county or zip code in which the insurer

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is actively writing that insurance, and a profile of the insurer that includes:

(A) contact information for the insurer, including the insurer's full name, address, and telephone number and the insurer's fax number and e-mail address, if available;

(B) information on rates charged by the insurer, including:

(i) sample rates for different policyholder profiles in each county or zip code; and

(ii) the percentage by which the sample rate has fallen or risen due to filings in the previous 12, 24, and 36 months;

(C) a list of policy forms, exclusions, endorsements, and discounts offered by the insurer;

(D) an indication of whether the insurer uses credit scoring in underwriting, rating, or tiering, and a link to the insurer's credit model or a link explaining how to request the insurer's credit model;

(E) the insurer's financial rating determined by A. M. Best or similar rating organization and an explanation of the meaning and importance of the rating;

(F) a complaint ratio or similar complaint rating system for the insurer for each of the previous three years and an explanation of the meaning of the rating system; and

(G) information, other than information made confidential by law, on the insurer's regulatory and administrative experience with the department, the office of public insurance counsel, and insurance regulatory authorities in other states; ~~and~~

(3) if feasible, as determined by the commissioner and

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the public insurance counsel:

(A) a side-by-side comparison of credit scoring models, including factors, key variables, and weights, of residential property insurers in this state; and

(B) a side-by-side comparison of credit scoring models, including factors, key variables, and weights, of private passenger automobile insurers in this state; and

(4) in the manner prescribed by the commissioner by rule, contact information for individual health benefit plans as necessary for consumers to obtain additional rate information regarding a plan and a comparison of information about health benefit plans, including information regarding a plan's:

(A) annual deductibles;

(B) out-of-pocket maximums;

(C) office visit copayments, listed separately for primary care providers and specialists;

(D) prescription co-payments, listed by generic and brand name medications;

(E) prescription deductibles;

(F) lifetime maximum coverage;

(G) maternity coverage included;

(H) emergency room visit copayments;

(I) covered days for inpatient mental health;

(J) outpatient surgery copayments; and

(K) inpatient cost sharing.