

By: Lucio, Davis

S.B. No. 440

A BILL TO BE ENTITLED

AN ACT

relating to health benefit plan coverage for autism spectrum disorder under certain health benefit plans.

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

SECTION 1. The heading to Subchapter A, Chapter 1355, Insurance Code, is amended to read as follows:

SUBCHAPTER A. [~~GROUP HEALTH BENEFIT PLAN~~] COVERAGE FOR CERTAIN SERIOUS MENTAL ILLNESSES AND OTHER DISORDERS

SECTION 2. Section 1355.002(b), Insurance Code, is amended to read as follows:

(b) [~~Notwithstanding any provision in Chapter 1575 or 1579 or any other law,~~] Section 1355.015 applies to:

(1) notwithstanding any provision in Chapter 1551, 1575, or 1579:

(A) a basic coverage plan under Chapter 1551;

(B) a basic plan under Chapter 1575; and

(C) [~~(2)~~] a primary care coverage plan under Chapter 1579; and

(2) notwithstanding Subsection (a), an individual health benefit plan that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness.

SECTION 3. Section 1355.003(a), Insurance Code, is amended to read as follows:

1 (a) This subchapter does not apply to coverage under:

2 (1) a blanket accident and health insurance policy, as
3 described by Chapter 1251;

4 (2) a short-term travel policy;

5 (3) an accident-only policy;

6 (4) a limited or specified-disease policy that does
7 not provide benefits for mental health care or similar services;

8 (5) except as provided by Subsection (b) or Section
9 1355.002(b)(1), a plan offered under Chapter 1551 or Chapter 1601;

10 (6) a plan offered in accordance with Section
11 1355.151; or

12 (7) a Medicare supplement benefit plan, as defined by
13 Section 1652.002.

14 SECTION 4. The change in law made by this Act applies only
15 to an individual health benefit plan or a basic coverage plan
16 provided under Chapter 1551, Insurance Code, beginning with the
17 2011-2012 plan year. A plan year before 2011-2012 is governed by
18 the law as it existed immediately before September 1, 2011, and that
19 law is continued in effect for that purpose.

20 SECTION 5. This Act takes effect September 1, 2011.