

By: Lucio, Davis

S.B. No. 441

A BILL TO BE ENTITLED

AN ACT

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

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

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

(b) Notwithstanding any provision in Chapter 1551, 1575, or 1579 or in any other law, Section 1355.015 applies to:

(1) a basic coverage plan under Chapter 1551;

(2) a basic plan under Chapter 1575; and

(3) [~~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 who is diagnosed with autism spectrum disorder from the date of diagnosis until the enrollee completes 17 [~~nine~~] years of age. If an enrollee who is being treated for autism spectrum disorder becomes 18 [~~10~~] years of age or older and continues to need treatment, this subsection does not preclude coverage of treatment and services described by Subsection (b).

SECTION 3. (a) The change in law made by Section 1355.002(b), Insurance Code, as amended by this Act, applies only

1 to a basic coverage plan provided under Chapter 1551, Insurance
2 Code, beginning with the 2011-2012 plan year. A plan year before
3 2011-2012 is governed by the law as it existed immediately before
4 September 1, 2011, and that law is continued in effect for that
5 purpose.

6 (b) The change in law made by Section 1355.015(a), Insurance
7 Code, as amended by this Act, applies only to a health benefit plan
8 that is delivered, issued for delivery, or renewed on or after
9 September 1, 2011. A health benefit plan that is delivered, issued
10 for delivery, or renewed before September 1, 2011, is covered by the
11 law in effect at the time the health benefit plan is delivered,
12 issued for delivery, or renewed, and that law is continued in effect
13 for that purpose.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2011.