

By: Patrick

S.B. No. 1786

A BILL TO BE ENTITLED

AN ACT

relating to the coverage by health benefit plans of expenses or procedures that violate certain religious convictions.

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

SECTION 1. Subtitle A, Title 8, Insurance Code, is amended by adding Chapter 1219 to read as follows:

CHAPTER 1219. COVERAGE FOR HEALTH CARE SERVICE THAT VIOLATES CERTAIN RELIGIOUS CONVICTIONS

Sec. 1219.001. APPLICABILITY OF CHAPTER. (a) This chapter applies only to a health benefit plan that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar coverage document that is offered by:

(1) an insurance company;

(2) a group hospital service corporation operating under Chapter 842;

(3) a fraternal benefit society operating under Chapter 885;

(4) a stipulated premium company operating under Chapter 884;

(5) an exchange operating under Chapter 942;

(6) a health maintenance organization operating under

1 Chapter 843;

2 (7) a multiple employer welfare arrangement that holds
3 a certificate of authority under Chapter 846; or

4 (8) an approved nonprofit health corporation that
5 holds a certificate of authority under Chapter 844.

6 (b) This chapter applies to group health coverage made
7 available by a school district in accordance with Section 22.004,
8 Education Code.

9 (c) Notwithstanding Section 172.014, Local Government Code,
10 or any other law, this chapter applies to health and accident
11 coverage provided by a risk pool created under Chapter 172, Local
12 Government Code.

13 (d) Notwithstanding any provision in Chapter 1551, 1575,
14 1579, or 1601 or any other law, this chapter applies to:

15 (1) a basic coverage plan under Chapter 1551;

16 (2) a basic plan under Chapter 1575;

17 (3) a primary care coverage plan under Chapter 1579;

18 and

19 (4) basic coverage under Chapter 1601.

20 (e) Notwithstanding Section 1501.251 or any other law, this
21 chapter applies to coverage under a small or large employer health
22 benefit plan subject to Chapter 1501.

23 (f) Notwithstanding Section 1507.003 or 1507.053, this
24 chapter applies to a standard health benefit plan provided under
25 Chapter 1507.

26 Sec. 1219.002. RELIGIOUS CONVICTIONS. (a) A health
27 benefit plan may limit or exclude coverage for any medical,

1 surgical, or other health care service that violates the religious
2 convictions of the issuer.

3 (b) A policyholder or sponsor of a group health benefit plan
4 or an employer or other entity that provides health benefit plan
5 coverage for its employees or members may decline or refuse to
6 purchase health benefit plan coverage that violates the religious
7 convictions of the policyholder, sponsor, employer, or other
8 entity.

9 (c) An issuer of a health benefit plan that excludes or
10 limits coverage for a medical, surgical, or other health care
11 service under Subsection (a) shall state the exclusion or
12 limitation in:

- 13 (1) the plan's coverage document;
14 (2) the plan's statement of benefits;
15 (3) plan brochures; and
16 (4) other informational materials for the plan.

17 (d) A policyholder, sponsor, employer, or other entity that
18 declines or refuses to purchase health benefit plan coverage under
19 Subsection (b) shall provide written notice of the declination or
20 refusal to the employees or members of the policyholder, sponsor,
21 employer, or other entity.

22 SECTION 2. This Act applies only to a health benefit plan
23 that is delivered, issued for delivery, or renewed on or after
24 January 1, 2012. A health benefit plan that is delivered, issued
25 for delivery, or renewed before January 1, 2012, is governed by the
26 law as it existed immediately before the effective date of this Act,
27 and that law is continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2011.