

BILL ANALYSIS

C.S.H.B. 592
By: Naishtat
Insurance
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Posttraumatic stress disorder (PTSD) is an anxiety disorder that develops following exposure to a traumatic or life-threatening event. According to mental health professionals, this disorder can cause significant emotional distress and functional impairment and has the potential to affect anyone who has experienced such an event, regardless of age or gender. Interested parties note that recovery from PTSD is an ongoing process for many survivors, often requiring the intervention of a mental health professional to return to the previous level of functioning. Currently, PTSD is not included as a serious mental illness for which group health benefit plans are required to provide coverage, which may create financial barriers for people seeking mental health care for this disorder. C.S.H.B. 592 seeks to provide the same help for survivors suffering from this disorder as is provided for major depressive disorders, bipolar disorders, obsessive compulsive disorders, and schizophrenia by classifying PTSD as a serious mental illness for purposes of statutory provisions relating to certain group health benefit plans.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 592 amends the Insurance Code to classify posttraumatic stress disorder as a serious mental illness for the purposes of statutory provisions governing group health benefit plan coverage for such illnesses. The bill defines "posttraumatic stress disorder" for such purposes to mean a disorder that meets the diagnostic criteria for posttraumatic stress disorder specified by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition, or in a subsequent edition of that manual that the commissioner of insurance adopts to take the place of the fourth edition for such purposes, and that results in an impairment of a person's functioning in the person's community, employment, family, school, or social group. The bill's provisions apply to a group health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2014.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 592 may differ from the original in minor or nonsubstantive ways, the following comparison is highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

83R 22616

13.102.1345

Substitute Document Number: 83R 17655

SECTION 1. Section 1355.001(1), Insurance Code, is amended to read as follows:

(1) "Serious mental illness" means the following psychiatric illnesses as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders (DSM):

- (A) bipolar disorders (hypomanic, manic, depressive, and mixed);
- (B) depression in childhood and adolescence;
- (C) major depressive disorders (single episode or recurrent);
- (D) obsessive-compulsive disorders;
- (E) paranoid and other psychotic disorders;
- (F) posttraumatic stress disorder;
- (G) schizo-affective disorders (bipolar or depressive); and
- (H) [~~G~~] schizophrenia.

SECTION 2. The change in law made by this Act applies only to a group health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2014. A group health benefit plan that is delivered, issued for delivery, or renewed before January 1, 2014, 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.

SECTION 3. This Act takes effect September 1, 2013.

SECTION 1. Section 1355.001, Insurance Code, is amended by amending Subdivision (1) and adding Subdivision (5) to read as follows:

(1) "Serious mental illness" means the following psychiatric illnesses as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders (DSM):

- (A) bipolar disorders (hypomanic, manic, depressive, and mixed);
- (B) depression in childhood and adolescence;
- (C) major depressive disorders (single episode or recurrent);
- (D) obsessive-compulsive disorders;
- (E) paranoid and other psychotic disorders;
- (F) posttraumatic stress disorder;
- (G) schizo-affective disorders (bipolar or depressive); and
- (H) [~~G~~] schizophrenia.

(5) "Posttraumatic stress disorder" means a disorder that:

- (A) meets the diagnostic criteria for posttraumatic stress disorder specified by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition, or in a subsequent edition of that manual that the commissioner adopts to take the place of the fourth edition for the purposes of this subdivision; and
- (B) results in an impairment of a person's functioning in the person's community, employment, family, school, or social group.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.