

BILL ANALYSIS

C.S.H.B. 2155
By: Callegari
Pensions
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties assert that when an individual joins a group benefits program under the Texas Employees Group Benefits Act, certain dependents who may have been eligible for coverage under another group benefits program or private insurance plan may be ineligible for coverage under the state employees group benefits plan. C.S.H.B. 2155 seeks to address this issue by removing certain restrictions limiting dependent coverage eligibility for certain dependents.

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. 2155 amends the Insurance Code to redefine "dependent," with respect to an individual eligible to participate in the state employees group benefits program, to remove as conditions of dependent coverage eligibility for a mentally or physically incapacitated child who lives with or has the child's care provided by the individual on a regular basis that the child's coverage under the Texas Employees Group Benefits Act has not lapsed and that child is at least 26 years old and was enrolled in specified health benefits coverage on the date of the child's 26th birthday or on the date the individual became eligible to participate in the group benefits program, as applicable.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2155 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 1551.004(a), Insurance Code, is amended to read as follows:

(a) In this chapter, "dependent" with respect to an individual eligible to participate in the group benefits program means the individual's:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 1551.004(a), Insurance Code, is amended to read as follows:

(a) In this chapter, "dependent" with respect to an individual eligible to participate in the group benefits program means the individual's:

- (1) spouse;
- (2) unmarried child younger than 26 years of age;
- (3) child of any age who the board of trustees determines lives with or has the child's care provided by the individual on a regular basis if:
 - (A) the child is mentally or physically incapacitated to the extent that the child is dependent on the individual for care or support, as determined by the board of trustees; and
 - (B) the child's coverage under this chapter has not lapsed; and
 - ~~[(C) the child is at least 26 years old and:

 - ~~[(i) was enrolled as a participant in the health benefits coverage under the group benefits program on the date of the child's 26th birthday; or~~
 - ~~[(ii) on the date the individual became eligible to participate in the group benefits program, was enrolled as the individual's dependent in health benefits coverage under Chapter 1575, 1579, or 1601 or in continuation of that dependent coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. No. 99-272) and its subsequent amendments;]~~~~
- (4) child of any age who is unmarried, for purposes of health benefit coverage under this chapter, on expiration of the child's continuation coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. No. 99-272) and its subsequent amendments; and
- (5) ward, as that term is defined by Section 601, Texas Probate Code, who is 26 years of age or younger.

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, 2013.

- (1) spouse;
- (2) unmarried child younger than 26 years of age;
- (3) child of any age who the board of trustees determines lives with or has the child's care provided by the individual on a regular basis if[:
 - ~~[(A)]~~ the child is mentally or physically incapacitated to the extent that the child is dependent on the individual for care or support, as determined by the board of trustees;
 - ~~[(B) the child's coverage under this chapter has not lapsed; and~~
 - ~~[(C) the child is at least 26 years old and:

 - ~~[(i) was enrolled as a participant in the health benefits coverage under the group benefits program on the date of the child's 26th birthday; or~~
 - ~~[(ii) on the date the individual became eligible to participate in the group benefits program, was enrolled as the individual's dependent in health benefits coverage under Chapter 1575, 1579, or 1601 or in continuation of that dependent coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. No. 99-272) and its subsequent amendments;]~~~~
- (4) child of any age who is unmarried, for purposes of health benefit coverage under this chapter, on expiration of the child's continuation coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. No. 99-272) and its subsequent amendments; and
- (5) ward, as that term is defined by Section 601, Texas Probate Code, who is 26 years of age or younger.

SECTION 2. Same as introduced version.