

By: Guillen

H.B. No. 459

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a navigator program as described by the Patient Protection and Affordable Care Act.

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

SECTION 1. Subtitle G, Title 8, Insurance Code, is amended by adding Chapter 1509 to read as follows:

CHAPTER 1509. NAVIGATOR PROGRAM

Sec. 1509.001. NAVIGATOR PROGRAM. (a) The department shall:

(1) establish a navigator program as described by Section 1311(i), Patient Protection and Affordable Care Act (42 U.S.C. Section 18031(i));

(2) select entities qualified to serve as navigators in accordance with Section 1311(i), Patient Protection and Affordable Care Act (42 U.S.C. Section 18031(i)), and standards developed by the secretary of the United States Department of Health and Human Services;

(3) adopt rules governing the certification of a navigator;

(4) certify navigators as able to carry out the duties required by Section 1311(i)(3), Patient Protection and Affordable Care Act (42 U.S.C. Section 18031(i)(3)); and

(5) provide training to navigators.

(b) At a minimum, training under this section must:

1 (1) enable a navigator to provide individuals and
2 enrollees with complete and accurate information about coverages
3 available through a health care exchange formed in compliance with
4 Section 1311, Patient Protection and Affordable Care Act (42 U.S.C.
5 Section 18031); and

6 (2) educate navigators regarding how, and under what
7 circumstances, to refer an individual or enrollee to an agent
8 licensed under Section 4054.051.

9 (c) The department may charge a reasonable fee for training
10 services provided under this section, except that the department
11 may not charge a fee to a navigator that is a nonprofit, tax-exempt
12 organization listed in Section 501(c) or (d) of the Internal
13 Revenue Code of 1986, including a faith-based organization.

14 (d) A navigator may not:

15 (1) sell, solicit the sale or purchase of, or
16 negotiate concerning the sale of health benefit plan coverage; or

17 (2) receive a commission from a health benefit plan
18 issuer or other insurer.

19 SECTION 2. This Act takes effect September 1, 2013.