

Amend **HB 2813** (house committee printing) on page 1, between lines 8 and 9, by inserting the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 1370.002, Insurance Code, is amended to read as follows:

Sec. 1370.002. EXCEPTIONS [~~EXCEPTION~~]. (a) This chapter does not apply to:

(1) a plan that provides coverage:

(A) only for benefits for a specified disease or for another limited benefit, other than a plan that provides benefits for cancer treatment or similar services;

(B) only for accidental death or dismemberment;

(C) for wages or payments in lieu of wages for a period during which an employee is absent from work because of sickness or injury;

(D) as a supplement to a liability insurance policy;

(E) only for dental or vision care; or

(F) only for indemnity for hospital confinement;

(2) a Medicare supplemental policy as defined by Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

(3) a workers' compensation insurance policy;

(4) medical payment insurance coverage provided under an automobile insurance policy;

(5) a credit insurance policy;

(6) a limited benefit policy that does not provide coverage for physical examinations or wellness exams; or

(7) a long-term care insurance policy, including a nursing home fixed indemnity policy, unless the commissioner determines that the policy provides benefit coverage so comprehensive that the policy is a health benefit plan as described by Section 1370.001.

(b) This chapter does not apply to a qualified health plan if a determination is made under 45 C.F.R. Section 155.170 that:

(1) this chapter requires the plan to offer benefits in addition to the essential health benefits required under 42

U.S.C. Section 18022(b); and

(2) this state is required to defray the cost of the benefits mandated under this chapter.