

By: Coleman, Morrison

H.B. No. 2219

A BILL TO BE ENTITLED

AN ACT

relating to health benefit plan coverage for injuries related to certain conduct of a covered individual.

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

SECTION 1. Subtitle E, Title 8, Insurance Code, is amended by adding Chapter 1380 to read as follows:

CHAPTER 1380. COVERAGE RELATING TO INJURIES RELATED TO CERTAIN CONDUCT

Sec. 1380.001. 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 health maintenance organization operating under Chapter 843;

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

(5) a multiple employer welfare arrangement that holds a certificate of authority under Chapter 846;

1 (6) a stipulated premium company operating under
2 Chapter 884;

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

5 (8) an exchange operating under Chapter 942.

6 (b) Notwithstanding Section 1501.251 or any other law, this
7 chapter applies to coverage under a small employer health benefit
8 plan subject to Chapter 1501.

9 (c) This chapter applies to a consumer choice of benefits
10 plan issued under Chapter 1507.

11 Sec. 1380.002. CONDITIONAL EXCEPTION. This chapter does
12 not apply to a qualified health plan if a determination is made
13 under 45 C.F.R. Section 155.170 that:

14 (1) this chapter requires the plan to offer benefits
15 in addition to the essential health benefits required under 42
16 U.S.C. Section 18022(b); and

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

19 Sec. 1380.003. EXCLUSION OF COVERAGE PROHIBITED. (a) A
20 health benefit plan may not exclude coverage for any emergency or
21 other medical, hospital, or surgical expenses incurred by a covered
22 individual as a result of and related to an injury that is
23 self-inflicted or caused in an attempt to commit suicide,
24 regardless of:

25 (1) the individual's state of mental health; or

26 (2) whether the injury results in the individual's
27 death.

1 (b) Coverage required under this chapter may be subject to
2 deductibles, copayments, coinsurance, or annual or maximum payment
3 limits that are consistent with deductibles, copayments,
4 coinsurance, or annual or maximum payment limits applicable to
5 other similar coverage under the health benefit plan.

6 Sec. 1380.004. RULES. The commissioner shall adopt rules
7 necessary to implement this chapter.

8 SECTION 2. The change in law made by this Act applies only
9 to a health benefit plan that is delivered, issued for delivery, or
10 renewed on or after January 1, 2016. A health benefit plan that is
11 delivered, issued for delivery, or renewed before January 1, 2016,
12 is governed by the law as it existed immediately before the
13 effective date of this Act, and that law is continued in effect for
14 that purpose.

15 SECTION 3. This Act takes effect September 1, 2015.