

1-1 By: King of Hemphill, et al. H.B. No. 2813
 1-2 (Senate Sponsor - Eltife)
 1-3 (In the Senate - Received from the House April 23, 2015;
 1-4 April 27, 2015, read first time and referred to Committee on
 1-5 Business and Commerce; May 11, 2015, reported favorably by the
 1-6 following vote: Yeas 6, Nays 2; May 11, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Eltife	X			
1-9 Creighton	X			
1-10 Ellis	X			
1-11 Huffines		X		
1-12 Schwertner		X		
1-13 Seliger			X	
1-14 Taylor of Galveston	X			
1-15 Watson	X			
1-16 Whitmire	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to health benefit plan coverage for ovarian cancer
 1-21 screening.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. The heading to Chapter 1370, Insurance Code, is
 1-24 amended to read as follows:

1-25 CHAPTER 1370. CERTAIN TESTS FOR DETECTION OF HUMAN PAPILLOMAVIRUS,
 1-26 OVARIAN CANCER, AND CERVICAL CANCER

1-27 SECTION 2. Section 1370.002, Insurance Code, is amended to
 1-28 read as follows:

1-29 Sec. 1370.002. EXCEPTIONS [~~EXCEPTION~~]. (a) This chapter
 1-30 does not apply to:

1-31 (1) a plan that provides coverage:

1-32 (A) only for benefits for a specified disease or
 1-33 for another limited benefit, other than a plan that provides
 1-34 benefits for cancer treatment or similar services;

1-35 (B) only for accidental death or dismemberment;

1-36 (C) for wages or payments in lieu of wages for a
 1-37 period during which an employee is absent from work because of
 1-38 sickness or injury;

1-39 (D) as a supplement to a liability insurance
 1-40 policy;

1-41 (E) only for dental or vision care; or

1-42 (F) only for indemnity for hospital confinement;

1-43 (2) a Medicare supplemental policy as defined by
 1-44 Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

1-45 (3) a workers' compensation insurance policy;

1-46 (4) medical payment insurance coverage provided under
 1-47 an automobile insurance policy;

1-48 (5) a credit insurance policy;

1-49 (6) a limited benefit policy that does not provide
 1-50 coverage for physical examinations or wellness exams; or

1-51 (7) a long-term care insurance policy, including a
 1-52 nursing home fixed indemnity policy, unless the commissioner
 1-53 determines that the policy provides benefit coverage so
 1-54 comprehensive that the policy is a health benefit plan as described
 1-55 by Section 1370.001.

1-56 (b) This chapter does not apply to a qualified health plan
 1-57 if a determination is made under 45 C.F.R. Section 155.170 that:

1-58 (1) this chapter requires the plan to offer benefits
 1-59 in addition to the essential health benefits required under 42
 1-60 U.S.C. Section 18022(b); and

1-61 (2) this state is required to defray the cost of the

2-1 benefits mandated under this chapter.

2-2 SECTION 3. Sections 1370.003(a) and (b), Insurance Code,
2-3 are amended to read as follows:

2-4 (a) A health benefit plan that provides coverage for
2-5 diagnostic medical procedures must provide to each woman 18 years
2-6 of age or older enrolled in the plan coverage for expenses for an
2-7 annual medically recognized diagnostic examination for the early
2-8 detection of ovarian cancer and cervical cancer.

2-9 (b) Coverage required under this section includes at a
2-10 minimum:

2-11 (1) a CA 125 blood test; and

2-12 (2) a conventional Pap smear screening or a screening
2-13 using liquid-based cytology methods, as approved by the United
2-14 States Food and Drug Administration, alone or in combination with a
2-15 test approved by the United States Food and Drug Administration for
2-16 the detection of the human papillomavirus.

2-17 SECTION 4. The change in law made by this Act applies only
2-18 to a health benefit plan that is delivered, issued for delivery, or
2-19 renewed on or after the effective date of this Act. A plan that is
2-20 delivered, issued for delivery, or renewed before the effective
2-21 date of this Act is governed by the law as it existed immediately
2-22 before the effective date of this Act, and that law is continued in
2-23 effect for that purpose.

2-24 SECTION 5. This Act takes effect September 1, 2015.

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