

SENATE AMENDMENTS

2nd Printing

By: King of Hemphill, Kacal,
Thompson of Harris, Frullo, Zerwas,
et al.

H.B. No. 2813

A BILL TO BE ENTITLED

1 AN ACT
2 relating to health benefit plan coverage for ovarian cancer
3 screening.

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

5 SECTION 1. The heading to Chapter 1370, Insurance Code, is
6 amended to read as follows:

7 CHAPTER 1370. CERTAIN TESTS FOR DETECTION OF HUMAN PAPILLOMAVIRUS,
8 OVARIAN CANCER, AND CERVICAL CANCER

9 SECTION 2. Section 1370.002, Insurance Code, is amended to
10 read as follows:

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

13 (1) a plan that provides coverage:

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

17 (B) only for accidental death or dismemberment;

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

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

23 (E) only for dental or vision care; or

24 (F) only for indemnity for hospital confinement;

25 (2) a Medicare supplemental policy as defined by

1 Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

2 (3) a workers' compensation insurance policy;

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

5 (5) a credit insurance policy;

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

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

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

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

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

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

22 (a) A health benefit plan that provides coverage for
23 diagnostic medical procedures must provide to each woman 18 years
24 of age or older enrolled in the plan coverage for expenses for an
25 annual medically recognized diagnostic examination for the early
26 detection of ovarian cancer and cervical cancer.

27 (b) Coverage required under this section includes at a

1 minimum:

2 (1) a CA 125 blood test; and

3 (2) a conventional Pap smear screening or a screening
4 using liquid-based cytology methods, as approved by the United
5 States Food and Drug Administration, alone or in combination with a
6 test approved by the United States Food and Drug Administration for
7 the detection of the human papillomavirus.

8 SECTION 4. 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 the effective date of this Act. A plan that is
11 delivered, issued for delivery, or renewed before the effective
12 date of this Act is governed by the law as it existed immediately
13 before the effective date of this Act, and that law is continued in
14 effect for that purpose.

15 SECTION 5. This Act takes effect September 1, 2015.

ADOPTED

MAY 13 2015

Ratay Saw
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Ellett*

1 Amend H.B. No. 2813 (senate committee printing) in SECTION 2
2 of the bill by striking added Section 1370.002(b), Insurance Code
3 (page 1, line 56, through page 2, line 1), and substituting the
4 following:

5 (b) To the extent that providing coverage for ovarian cancer
6 screening under this chapter would otherwise require this state to
7 make a payment under 42 U.S.C. Section 18031(d)(3)(B)(ii), a
8 qualified health plan, as defined by 45 C.F.R. Section 155.20, is
9 not required to provide a benefit for the ovarian cancer screening
10 under this chapter that exceeds the specified essential health
11 benefits required under 42 U.S.C. Section 18022(b).

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 13, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2813 by King, Ken (Relating to health benefit plan coverage for ovarian cancer screening.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Insurance Code relating to health benefit plan coverage for ovarian cancer screening.

Based on information provided by the Teacher Retirement System, Employees Retirement System, Texas Department of Insurance, Texas A&M University System Administration, and the University of Texas System Administration, this analysis assumes that all duties and responsibilities necessary to implement the provisions of the bill could be accomplished utilizing existing staff and resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 323 Teacher Retirement System, 327 Employees Retirement System, 454 Department of Insurance, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

LBB Staff: UP, CL, ER, AG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 29, 2015

TO: Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2813 by King, Ken (Relating to health benefit plan coverage for ovarian cancer screening.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Insurance Code relating to health benefit plan coverage for ovarian cancer screening.

Based on information provided by the Texas Department of Insurance (TDI), the bill could increase the number of filings received by TDI by approximately 396 each fiscal year. Insurers pay \$100 for each informational filing, which would result in a one-time revenue gain in fiscal year 2016 of approximately \$39,600 that would be deposited to General Revenue-Dedicated Texas Department of Insurance Fund 36 (Fund 36). Since Fund 36 is a self-leveling account, this analysis also assumes that any additional revenue resulting from the implementation of the bill would accumulate in account fund balances and that TDI would adjust the assessment of the maintenance tax or other fees accordingly in the following year.

Additionally, based on information provided by TDI, Teacher Retirement System, Employees Retirement System, Texas A&M University System Administration, and the University of Texas System Administration, this analysis assumes that all duties and responsibilities necessary to implement the provisions of the bill could be accomplished utilizing existing staff and resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 323 Teacher Retirement System, 327 Employees Retirement System, 454 Department of Insurance, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

LBB Staff: UP, CL, ER, AG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 24, 2015

TO: Honorable John Frullo, Chair, House Committee on Insurance

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2813 by King, Ken (Relating to health benefit plan coverage for ovarian cancer screening.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Insurance Code relating to health benefit plan coverage for ovarian cancer screening.

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