

By: Davis of Harris, Howard

H.B. No. 1161

Substitute the following for H.B. No. 1161:

By: Phillips

C.S.H.B. No. 1161

A BILL TO BE ENTITLED

AN ACT

relating to health benefit plan coverage of prescription  
contraceptive drugs.

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

SECTION 1. Section 1369.102, Insurance Code, is amended to  
read as follows:

Sec. 1369.102. APPLICABILITY OF SUBCHAPTER. Except as  
otherwise provided by this subchapter, this [~~This~~] subchapter  
applies only to a health benefit plan, including a small employer  
health benefit plan written under Chapter 1501, 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 fraternal benefit society operating under  
Chapter 885;

(4) a stipulated premium company operating under  
Chapter 884;

(5) a reciprocal exchange operating under Chapter 942;

1 (6) a health maintenance organization operating under  
2 Chapter 843;

3 (7) a multiple employer welfare arrangement that holds  
4 a certificate of authority under Chapter 846; or

5 (8) an approved nonprofit health corporation that  
6 holds a certificate of authority under Chapter 844.

7 SECTION 2. Subchapter C, Chapter 1369, Insurance Code, is  
8 amended by adding Section 1369.1031 to read as follows:

9 Sec. 1369.1031. CERTAIN COVERAGE REQUIRED. (a) This  
10 section applies to a health benefit plan described by Section  
11 1369.102.

12 (b) This section applies to group health coverage made  
13 available by a school district in accordance with Section 22.004,  
14 Education Code.

15 (c) Notwithstanding any provision in Chapter 1551, 1575,  
16 1579, or 1601 or any other law, this section applies to:

17 (1) a basic coverage plan under Chapter 1551;

18 (2) a basic plan under Chapter 1575;

19 (3) a primary care coverage plan under Chapter 1579;

20 and

21 (4) basic coverage under Chapter 1601.

22 (d) Notwithstanding Sections 1507.004 and 1507.053, or any  
23 other law, this section applies to a consumer choice of benefits  
24 plan issued under Chapter 1507.

25 (e) To the extent allowed by federal law, the child health  
26 plan program operated under Chapter 62, Health and Safety Code, the  
27 health benefits plan for children operated under Chapter 63, Health

1 and Safety Code, the state Medicaid program, and a managed care  
2 organization that contracts with the Health and Human Services  
3 Commission to provide health care services to recipients through a  
4 managed care plan shall provide the coverage required under this  
5 section to a recipient.

6 (f) A health benefit plan that provides benefits for a  
7 prescription contraceptive drug must provide for an enrollee to  
8 obtain up to:

9 (1) a 3-month supply of the covered prescription  
10 contraceptive drug at one time the first time the enrollee obtains  
11 the drug; and

12 (2) a 12-month supply of the covered prescription  
13 contraceptive drug at one time each subsequent time the enrollee  
14 obtains the same drug, regardless of whether the enrollee was  
15 enrolled in the health benefit plan the first time the enrollee  
16 obtained the drug.

17 (g) An enrollee may obtain only one 12-month supply of a  
18 covered prescription contraceptive drug during each 12-month  
19 period.

20 SECTION 3. The change in law made by this Act applies only  
21 to a health benefit plan that is delivered, issued for delivery, or  
22 renewed on or after January 1, 2018. A health benefit plan that is  
23 delivered, issued for delivery, or renewed before January 1, 2018,  
24 is governed by the law as it existed immediately before the  
25 effective date of this Act, and that law is continued in effect for  
26 that purpose.

27 SECTION 4. This Act takes effect September 1, 2017.