

## **BILL ANALYSIS**

H.B. 392  
By: Blanco  
Pensions, Investments & Financial Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been noted with concern that even though the Employees Retirement System of Texas (ERS) is authorized to provide long-term care insurance coverage to eligible state employees or annuitants through a group program, ERS has not offered the coverage for many years. H.B. 392, in an effort to make individual long-term care insurance coverage available to ERS members, removes the specification that the authorization is for a group program and repeals certain provisions that prohibit premiums and program costs from being deducted from a program participant's monthly compensation or annuity.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 392 amends the Insurance Code to remove the specification that the long-term care insurance program the board of trustees of the Employees Retirement System of Texas (ERS) may establish to provide long-term care insurance coverage for eligible ERS employees and annuitants and certain relatives of those employees and annuitants is a group long-term care insurance program. The bill requires ERS to ensure that all group long-term care insurance coverage in effect immediately before the bill's effective date continues to be administered in accordance with applicable law as it existed immediately before the bill's effective date.

H.B. 392 repeals provisions requiring the firm administering the group long-term care insurance program to bill each program participant directly for premiums and any other program costs, making each participant responsible for required payments, and prohibiting premiums and program costs from being deducted from a program participant's monthly compensation or annuity.

H.B. 392 repeals Section 1552.004, Insurance Code.

### **EFFECTIVE DATE**

September 1, 2019.