

BILL ANALYSIS

H.B. 3984
By: Leach
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the American Cancer Society, approximately half of female breast cancer patients who use a scalp cooling device while undergoing chemotherapy for early-stage breast cancer lose less than half of their hair. As such, there have been calls for health benefit plans to provide coverage for scalp cooling systems, applications, and procedures. H.B. 3984 seeks to address these calls by requiring health benefit plans to provide this coverage for an enrollee who is undergoing or has undergone medical treatment for cancer if the treating physician has deemed it an appropriate treatment.

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. 3984 amends the Insurance Code to require a health benefit plan to provide coverage for scalp cooling systems, applications, and procedures for an enrollee who is undergoing or has undergone medical treatment for cancer and determined by the enrollee's treating physician to be appropriate for the enrollee in connection with the side effects of the treatment. The bill prohibits an additional premium charge for the required coverage but establishes that such coverage may be subject to the annual deductibles, copayments, and coinsurance that are consistent with annual deductibles, copayments, and coinsurance for other coverage under the health benefit plan.

H.B. 3984 requires such coverage to be provided in a manner determined to be appropriate in consultation with the treating physician, as applicable, and the enrollee and prohibits the coverage from being subject to annual dollar limits. The bill authorizes a health benefit plan to require prior authorization for a scalp cooling system, application, or procedure in the same manner that the health benefit plan requires prior authorization for any other covered benefit. The bill establishes the applicability of its provisions and excepts a qualified health plan from the coverage requirements if a certain determination is made under federal regulations. The bill applies only to a health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2010.

EFFECTIVE DATE

September 1, 2019.