

By: Howard, Davis of Harris, et al.

H.B. No. 800

Substitute the following for H.B. No. 800:

By: Thompson of Harris

C.S.H.B. No. 800

A BILL TO BE ENTITLED

AN ACT

relating to covered benefits under the child health plan.

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

SECTION 1. Section 62.151, Health and Safety Code, is amended by amending Subsection (c) and adding Subsections (g) and (h) to read as follows:

(c) In modifying the plan, the executive commissioner, except as provided by Subsection (g), shall ensure that primary and preventive health benefits do not include reproductive services, other than prenatal care and care related to diseases, illnesses, or abnormalities related to the reproductive system.

(g) Subject to Subsection (h), the child health plan must provide as covered benefits prescription contraceptive drugs or devices approved by the United States Food and Drug Administration. This subsection does not require coverage of abortifacients or any other drug or device that terminates a pregnancy.

(h) The child health plan may provide as covered benefits prescription contraceptive drugs or devices for an enrolled child younger than 18 years of age for the purpose of primary and preventive reproductive health care only if the prescribing health care provider receives written consent for the prescription from the enrolled child's parent, guardian, or managing conservator or from a person as authorized by Chapter 32, Family Code.

SECTION 2. If before implementing any provision of this Act

1 a state agency determines that a waiver or authorization from a
2 federal agency is necessary for implementation of that provision,
3 the agency affected by the provision shall request the waiver or
4 authorization and may delay implementing that provision until the
5 waiver or authorization is granted.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2019.