

By: Muñoz, Jr.

H.B. No. 1124

A BILL TO BE ENTITLED

AN ACT

relating to civil liability for an insurer's violation of certain insurance laws.

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

SECTION 1. Section 88.002, Civil Practice and Remedies Code, is amended by adding Subsection (a-1) and amending Subsection (d) to read as follows:

(a-1) A health insurance carrier is liable for damages for harm to an insured caused by a violation of Section 1301.0057, 1301.0058, 1301.057(d), or 1301.067(a-1), Insurance Code. Notwithstanding Section 88.003(a), Section 88.003 does not apply to a cause of action under this subsection.

(d) The standards in Subsections (a), (a-1), and (b) create no obligation on the part of the health insurance carrier, health maintenance organization, or other managed care entity to provide to an insured or enrollee treatment which is not covered by the health care plan of the entity.

SECTION 2. Section 88.002(a-1), Civil Practice and Remedies Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2019.