

By: Lucio III

H.B. No. 2582

A BILL TO BE ENTITLED

AN ACT

relating to required notice of the cost and health benefit plan coverage of newborn screening tests.

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

SECTION 1. Subchapter B, Chapter 33, Health and Safety Code, is amended by adding Section 33.019 to read as follows:

Sec. 33.019. NOTICE OF COST. (a) The department shall publish on its Internet website the cost of a newborn screening test kit to be used to comply with the test requirements of Section 33.011.

(b) The department may change the cost published under Subsection (a) not later than the 90th day before the date the department publishes notice of the change on its Internet website. If the department changes the cost under this subsection, the department shall retain a record of the previous cost until the first anniversary of the date of the change.

SECTION 2. Section 1271.154, Insurance Code, is amended to read as follows:

Sec. 1271.154. WELL-CHILD CARE FROM BIRTH. (a) In this section, "well-child care from birth" has the meaning used under Section 1302, Public Health Service Act (42 U.S.C. Section 300e-1), and its subsequent amendments. The term includes administration of newborn screening required by the [Texas] Department of State Health Services and the cost of the newborn screening test kit

1 described by Section 33.019, Health and Safety Code.

2 (b) A health maintenance organization shall ensure that
3 each health care plan provided by the health maintenance
4 organization includes well-child care from birth that complies
5 with:

6 (1) federal requirements adopted under Chapter XI,
7 Public Health Service Act (42 U.S.C. Section 300e et seq.), and its
8 subsequent amendments; and

9 (2) the rules adopted by the executive commissioner
10 [~~Texas Department~~] of the Health and Human Services Commission to
11 implement those requirements, including rules on the cost of the
12 newborn screening test kit described by Section 33.019, Health and
13 Safety Code.

14 SECTION 3. Section 1367.003, Insurance Code, is amended to
15 read as follows:

16 Sec. 1367.003. CERTAIN LIMITATIONS ON COVERAGE FOR NEWBORN
17 CHILDREN PROHIBITED. A health benefit plan that provides maternity
18 benefits or accident and health coverage for additional newborn
19 children may not be issued in this state if the plan excludes or
20 limits:

21 (1) initial coverage of a newborn child for a period of
22 time; ~~or~~

23 (2) coverage for congenital defects of a newborn
24 child; or

25 (3) coverage for administration of the newborn
26 screening tests required by Section 33.011, Health and Safety Code,
27 including for the cost of a newborn screening test kit in the amount

1 provided by the Department of State Health Services on its Internet
2 website under Section 33.019 of that code on the date the test was
3 administered.

4 SECTION 4. As soon as practicable after the effective date
5 of this Act, the executive commissioner of the Health and Human
6 Services Commission shall adopt rules necessary to implement this
7 Act.

8 SECTION 5. The change in law made by this Act applies only
9 to a health benefit plan delivered, issued for delivery, or renewed
10 on or after January 1, 2020. A health benefit plan delivered, issued
11 for delivery, or renewed before January 1, 2020, is governed by the
12 law as it existed immediately before the effective date of this Act,
13 and that law is continued in effect for that purpose.

14 SECTION 6. This Act takes effect September 1, 2019.