

By: Turner of Tarrant

H.B. No. 3039

A BILL TO BE ENTITLED

AN ACT

relating to coverage for bacterial meningitis vaccinations under certain health benefit plans.

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

SECTION 1. Subtitle E, Title 8, Insurance Code, is amended by adding Chapter 1380 to read as follows:

CHAPTER 1380. COVERAGE FOR BACTERIAL MENINGITIS VACCINATION

Sec. 1380.0001. APPLICABILITY OF CHAPTER. (a) This chapter applies only to a health benefit plan that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar coverage document that is offered by:

(1) an insurance company;

(2) a group hospital service corporation operating under Chapter 842;

(3) a health maintenance organization operating under Chapter 843;

(4) an approved nonprofit health corporation that holds a certificate of authority under Chapter 844;

(5) a multiple employer welfare arrangement that holds a certificate of authority under Chapter 846;

- 1           (6) a stipulated premium company operating under  
2 Chapter 884;
- 3           (7) a fraternal benefit society operating under  
4 Chapter 885;
- 5           (8) a Lloyd's plan operating under Chapter 941; or  
6           (9) an exchange operating under Chapter 942.
- 7        (b) Notwithstanding any other law, this chapter applies to:
- 8           (1) a small employer health benefit plan subject to  
9 Chapter 1501, including coverage provided through a health group  
10 cooperative under Subchapter B of that chapter;
- 11          (2) a standard health benefit plan issued under  
12 Chapter 1507;
- 13          (3) a basic coverage plan under Chapter 1551;  
14          (4) a basic plan under Chapter 1575;  
15          (5) a primary care coverage plan under Chapter 1579;  
16          (6) a plan providing basic coverage under Chapter  
17 1601;
- 18          (7) health benefits provided by or through a church  
19 benefits board under Subchapter I, Chapter 22, Business  
20 Organizations Code;
- 21          (8) group health coverage made available by a school  
22 district in accordance with Section 22.004, Education Code;
- 23          (9) the state Medicaid program, including the Medicaid  
24 managed care program operated under Chapter 533, Government Code;
- 25          (10) the child health plan program under Chapter 62,  
26 Health and Safety Code;
- 27          (11) a regional or local health care program operated

1 under Section 75.104, Health and Safety Code;

2 (12) a self-funded health benefit plan sponsored by a  
3 professional employer organization under Chapter 91, Labor Code;

4 (13) county employee group health benefits provided  
5 under Chapter 157, Local Government Code; and

6 (14) health and accident coverage provided by a risk  
7 pool created under Chapter 172, Local Government Code.

8 (c) This chapter applies to coverage under a group health  
9 benefit plan provided to a resident of this state regardless of  
10 whether the group policy, agreement, or contract is delivered,  
11 issued for delivery, or renewed in this state.

12 (d) Notwithstanding any other law, this chapter applies to a  
13 health benefit plan under which the coverage period is more than 90  
14 days and less than 12 months in duration.

15 Sec. 1380.0002. EXCEPTIONS. (a) This chapter does not  
16 apply to:

17 (1) a plan that provides coverage:

18 (A) for wages or payments in lieu of wages for a  
19 period during which an employee is absent from work because of  
20 sickness or injury;

21 (B) as a supplement to a liability insurance  
22 policy;

23 (C) for credit insurance;

24 (D) only for dental or vision care;

25 (E) only for hospital expenses; or

26 (F) only for indemnity for hospital confinement;

27 (2) a workers' compensation insurance policy; or

1           (3) medical payment insurance coverage provided under  
2 a motor vehicle insurance policy.

3           (b) This chapter does not apply to an individual health  
4 benefit plan issued on or before March 23, 2010, that has not had  
5 any significant changes since that date that reduce benefits or  
6 increase costs to the individual.

7           Sec. 1380.0003. COVERAGE REQUIRED. (a) A health benefit  
8 plan must include coverage for all bacterial meningitis  
9 vaccinations recommended under generally accepted standards of  
10 medical practice, including any booster doses of the vaccine.

11           (b) Coverage required by this section may not be less  
12 favorable than coverage for immunizations under Subchapter B,  
13 Chapter 1367.

14           SECTION 2. If before implementing any provision of this Act  
15 a state agency determines that a waiver or authorization from a  
16 federal agency is necessary for implementation of that provision,  
17 the agency affected by the provision shall request the waiver or  
18 authorization and may delay implementing that provision until the  
19 waiver or authorization is granted.

20           SECTION 3. Chapter 1380, Insurance Code, as added by this  
21 Act, applies only to a health benefit plan that is delivered, issued  
22 for delivery, or renewed on or after January 1, 2020.

23           SECTION 4. This Act takes effect September 1, 2019.