

By: Nelson
(Price, Sheffield, Minjarez, Rose, VanDeaver)

S.B. No. 437

A BILL TO BE ENTITLED

AN ACT

relating to prohibited practices by a life insurance company relating to an individual's prescription for or obtainment of an opioid antagonist.

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

SECTION 1. Chapter 1101, Insurance Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. PROHIBITED PRACTICES RELATING TO PRESCRIPTION FOR OR OBTAINMENT OF OPIOID ANTAGONIST

Sec. 1101.201. DEFINITION. In this subchapter, "opioid antagonist" means any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors to reverse the effects of an opioid overdose.

Sec. 1101.202. APPLICABILITY OF SUBCHAPTER. This subchapter applies to a life insurance policy:

(1) issued or delivered in this state; or

(2) issued by a life insurance company organized in this state.

Sec. 1101.203. PROHIBITION. A life insurance company may not, based solely on whether an individual has been prescribed or has obtained through a standing order an opioid antagonist:

(1) deny coverage to the individual;

(2) limit the amount, extent, or kind of coverage available to the individual; or

1 (3) charge the individual or a group to which the
2 individual belongs a rate that is different from the rate charged to
3 other individuals or groups, respectively, for the same coverage,
4 unless the charge is based on sound underwriting or actuarial
5 principles reasonably related to actual or anticipated loss
6 experience for a particular risk.

7 SECTION 2. This Act takes effect September 1, 2019.