

By: Zaffirini

S.B. No. 1896

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to alternate health benefit plan contact information for  
3 victims of family violence.

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

5 SECTION 1. Subtitle A, Title 8, Insurance Code, is amended  
6 by adding Chapter 1222 to read as follows:

7 CHAPTER 1222. ALTERNATE CONTACT INFORMATION FOR VICTIMS OF FAMILY  
8 VIOLENCE

9 Sec. 1222.0001. DEFINITIONS. In this chapter:

10 (1) "Family violence" has the meaning assigned by  
11 Section 71.004, Family Code.

12 (2) "Health benefit plan" means a plan to which this  
13 chapter applies under Section 1222.0002.

14 (3) "Health benefit plan issuer" means an entity  
15 authorized under this code or another insurance law of this state  
16 that provides health insurance or health benefits in this state.

17 (4) "Protective order" has the meaning assigned by  
18 Section 88.002, Family Code.

19 Sec. 1222.0002. APPLICABILITY OF CHAPTER. (a) This  
20 chapter applies only to a health benefit plan that provides  
21 benefits for medical or surgical expenses incurred as a result of a  
22 health condition, accident, or sickness, including an individual,  
23 group, blanket, or franchise insurance policy or insurance  
24 agreement, a group hospital service contract, or an individual or

1 group evidence of coverage or similar coverage document that is  
2 issued by:

3 (1) an insurance company;

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

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

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

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

12 (6) a stipulated premium company operating under  
13 Chapter 884;

14 (7) a fraternal benefit society operating under  
15 Chapter 885;

16 (8) a Lloyd's plan operating under Chapter 941; or

17 (9) an exchange operating under Chapter 942.

18 (b) Notwithstanding any other law, this chapter applies to:

19 (1) a small employer health benefit plan subject to  
20 Chapter 1501, including coverage provided through a health group  
21 cooperative under Subchapter B of that chapter;

22 (2) a standard health benefit plan issued under  
23 Chapter 1507;

24 (3) a basic coverage plan under Chapter 1551;

25 (4) a basic plan under Chapter 1575;

26 (5) a primary care coverage plan under Chapter 1579;

27 (6) a plan providing basic coverage under Chapter

1 [1601](#);

2 (7) health benefits provided by or through a church  
3 benefits board under Subchapter I, Chapter 22, Business  
4 Organizations Code;

5 (8) group health coverage made available by a school  
6 district in accordance with Section 22.004, Education Code;

7 (9) the state Medicaid program, including the Medicaid  
8 managed care program operated under Chapter 533, Government Code;

9 (10) the child health plan program under Chapter 62,  
10 Health and Safety Code;

11 (11) a regional or local health care program operated  
12 under Section 75.104, Health and Safety Code;

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

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

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

19 Sec. 1222.0003. APPLICATION FOR ALTERNATE CONTACT  
20 INFORMATION. (a) An individual who is a victim of family violence  
21 and who is a covered dependent in a health benefit plan may apply to  
22 the health benefit plan issuer to designate an alternate mailing  
23 address, telephone number, or other contact information necessary  
24 for billing or claims purposes for the individual and each other  
25 covered dependent named in the application.

26 (b) An application described by Subsection (a) must  
27 include:

1           (1) a valid protective order issued in this state  
2 against the policyholder or certificate holder of the individual's  
3 health benefit plan; or

4           (2) a signed affidavit stating that:

5                   (A) the individual is a victim of family  
6 violence; and

7                   (B) the disclosure of the alternate contact  
8 information provided in the application would endanger the  
9 individual.

10           (c) A health benefit plan issuer who receives a completed  
11 application under Subsection (a) shall grant the application and  
12 authorize the individual to have alternate contact information for  
13 the individual and each dependent named in the application.

14           Sec. 1222.0004. DISCLOSURE OF ALTERNATE CONTACT  
15 INFORMATION. A health benefit plan issuer may not disclose the  
16 alternate contact information provided in an application described  
17 by Section 1222.0003 to the policyholder or certificate holder of  
18 the individual's health benefit plan unless the individual consents  
19 to the disclosure in writing. The issuer shall ensure that any  
20 health care provider providing services under the plan does not  
21 disclose the information in accordance with this section.

22           Sec. 1222.0005. RULES. The commissioner, in consultation  
23 with the Health and Human Services Commission and the Department of  
24 Family and Protective Services, shall adopt rules to guide and  
25 enable health benefit plan issuers to protect the alternate contact  
26 information provided to issuers under this chapter.

27           SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2019.