

SENATE AMENDMENTS

2nd Printing

By: Bernal, Guillen, Thompson of Harris,
Davis of Harris, Zerwas, et al.

H.B. No. 170

A BILL TO BE ENTITLED

1 AN ACT
2 relating to coverage for mammography under certain health benefit
3 plans.

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

5 SECTION 1. Section 1356.001, Insurance Code, is amended by
6 adding Subdivision (1-a) to read as follows:

7 (1-a) "Diagnostic mammography" means a method of
8 screening that is designed to evaluate an abnormality in a breast,
9 including an abnormality seen or suspected on a screening mammogram
10 or a subjective or objective abnormality otherwise detected in the
11 breast.

12 SECTION 2. Section 1356.002, Insurance Code, is amended by
13 amending Subsection (g) and adding Subsection (i) to read as
14 follows:

15 (g) Notwithstanding any provision in Chapter 1551, 1575,
16 1579, or 1601 or any other law, this chapter applies to:

17 (1) a basic coverage plan under Chapter 1551;
18 (2) a basic plan under Chapter 1575;
19 (3) a primary care coverage plan under Chapter 1579;
20 and
21 (4) basic coverage under Chapter 1601.

22 (i) To the extent allowed by federal law, this chapter
23 applies to:

24 (1) the state Medicaid program operated under Chapter

1 32, Human Resources Code; and

2 (2) a Medicaid managed care program operated under
3 Chapter 533, Government Code.

4 SECTION 3. Section 1356.005, Insurance Code, is amended by
5 adding Subsection (a-1) to read as follows:

6 (a-1) A health benefit plan that provides coverage for a
7 screening mammogram must provide coverage for a diagnostic
8 mammogram that is no less favorable than the coverage for a
9 screening mammogram.

10 SECTION 4. Section 1356.0021, Insurance Code, is repealed.

11 SECTION 5. If before implementing any provision of this Act
12 a state agency determines that a waiver or authorization from a
13 federal agency is necessary for implementation of that provision,
14 the agency affected by the provision shall request the waiver or
15 authorization and may delay implementing that provision until the
16 waiver or authorization is granted.

17 SECTION 6. This Act applies only to a health benefit plan
18 that is delivered, issued for delivery, or renewed on or after
19 January 1, 2020. A health benefit plan that is delivered, issued
20 for delivery, or renewed before January 1, 2020, is governed by the
21 law as it existed immediately before the effective date of this Act,
22 and that law is continued in effect for that purpose.

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

ADOPTED

MAY 22 2019

Debra Spauld
Secretary of the Senate

H.B. No. 170

By: *Mr. Arredondo*

Substitute the following for *HB 170* .B. No. _____:

By: _____

C.S. H .B. No. 170

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

5 SECTION 1. Section 1356.001, Insurance Code, is amended by
6 adding Subdivision (1-a) to read as follows:

7 (1-a) "Diagnostic mammogram" means an imaging
8 examination designed to evaluate:

9 (A) a subjective or objective abnormality
10 detected by a physician in a breast;

11 (B) an abnormality seen by a physician on a
12 screening mammogram;

13 (C) an abnormality previously identified by a
14 physician as probably benign in a breast for which follow-up
15 imaging is recommended by a physician; or

16 (D) an individual with a personal history of
17 breast cancer.

18 SECTION 2. Section 1356.002, Insurance Code, is amended by
19 amending Subsection (g) and adding Subsection (i) to read as
20 follows:

21 (g) Notwithstanding any provision in Chapter 1551, 1575,
22 1579, or 1601 or any other law, this chapter applies to:

23 (1) a basic coverage plan under Chapter 1551;

24 (2) a basic plan under Chapter 1575;

1 (3) a primary care coverage plan under Chapter 1579;
2 and
3 (4) basic coverage under Chapter 1601.

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5 applies to:

6 (1) the state Medicaid program operated under Chapter
7 32, Human Resources Code; and
8 (2) a Medicaid managed care program operated under
9 Chapter 533, Government Code.

10 SECTION 3. Section 1356.005, Insurance Code, is amended by
11 adding Subsection (a-1) to read as follows:

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13 screening mammogram must provide coverage for a diagnostic
14 mammogram that is no less favorable than the coverage for a
15 screening mammogram.

16 SECTION 4. Section 1356.0021, Insurance Code, is repealed.

17 SECTION 5. If before implementing any provision of this Act
18 a state agency determines that a waiver or authorization from a
19 federal agency is necessary for implementation of that provision,
20 the agency affected by the provision shall request the waiver or
21 authorization and may delay implementing that provision until the
22 waiver or authorization is granted.

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24 that is delivered, issued for delivery, or renewed on or after
25 January 1, 2020. A health benefit plan that is delivered, issued
26 for delivery, or renewed before January 1, 2020, is governed by the
27 law as it existed immediately before the effective date of this Act,

1 and that law is continued in effect for that purpose.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB170 by Bernal (Relating to coverage for mammography under certain health benefit plans.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

This bill would amend the Insurance Code relating to coverage for mammography under certain health benefit plans. Based on the analysis of the Employees Retirement System, Teacher Retirement System, University of Texas System, Texas A&M University System, and Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

The Texas Municipal League does not anticipate a significant fiscal impact to cities.

Source Agencies: 323 Teacher Retirement System, 327 Employees Retirement System, 454
Department of Insurance, 529 Health and Human Services Commission,
710 Texas A&M University System Administrative and General Offices,
720 The University of Texas System Administration

LBB Staff: WP, SD, AF, CLo, CMA, SGr, CP, KFB, ASa, NV, TSI

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 20, 2019

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB170** by Bernal (Relating to coverage for mammography under certain health benefit plans.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

This bill would amend the Insurance Code relating to coverage for mammography under certain health benefit plans. Based on the analysis of the Employees Retirement System, Teacher Retirement System, University of Texas System, Texas A&M University System, and Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

The Texas Municipal League does not anticipate a significant fiscal impact to cities.

Source Agencies: 323 Teacher Retirement System, 327 Employees Retirement System, 454 Department of Insurance, 529 Health and Human Services Commission, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

LBB Staff: WP, AF, CLo, CMa, SGr, CP, KFB, ASa, NV, TSI

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 9, 2019

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB170** by Bernal (Relating to coverage for mammography under certain health benefit plans.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

This bill would amend the Insurance Code relating to coverage for mammography under certain health benefit plans. Based on the analysis of the Employees Retirement System, Teacher Retirement System, University of Texas System, Texas A&M University System, and Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 323 Teacher Retirement System, 327 Employees Retirement System, 454 Department of Insurance, 529 Health and Human Services Commission, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

LBB Staff: WP, CLo, CMa, SGr, CP, KFB, ASa, AF, NV, TSI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 12, 2019

TO: Honorable Eddie Lucio III, Chair, House Committee on Insurance

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB170 by Bernal (relating to coverage for mammography under certain health benefit plans.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

This bill would amend the Insurance Code relating to coverage for mammography under certain health benefit plans. Based on the analysis of the Employees Retirement System, Teacher Retirement System, University of Texas System, Texas A&M University System, and Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 323 Teacher Retirement System, 327 Employees Retirement System, 454 Department of Insurance, 529 Health and Human Services Commission, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

LBB Staff: WP, CMa, SGr, CP, KFB, ASa, AF, NV, TSI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 4, 2019

TO: Honorable Eddie Lucio III, Chair, House Committee on Insurance

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB170** by Bernal (Relating to coverage for mammography under certain health benefit plans.), **As Introduced**

No significant fiscal implication to the State is anticipated.

This bill would amend the Insurance Code relating to coverage for mammography under certain health benefit plans. Based on the analysis of the Employees Retirement System, Teacher Retirement System, University of Texas System, Texas A&M University System, and Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

According to both the Texas Association of Counties and the Texas Municipal League, no significant fiscal implication to units of local government is anticipated.

Source Agencies: 323 Teacher Retirement System, 327 Employees Retirement System, 454
Department of Insurance, 529 Health and Human Services Commission,
710 Texas A&M University System Administrative and General Offices,
720 The University of Texas System Administration

LBB Staff: WP, CMa, SGr, CP, KFB, ASa, AF, NV, TSI