

BILL ANALYSIS

S.B. 1028
By: Huffman
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Although incidences of colorectal cancer have decreased overall in Texas since the legislature established minimum insurance coverage requirements for certain preventative screening for individuals 50 years of age and older, incidences of colorectal cancer are increasing among adults under 50 years of age. A number of health organizations, including the American Cancer Society, now recommend that screenings should begin at 45 years of age. Additionally, it has been noted that screening options that are required to be covered under state law are no longer aligned with industry recommendations.

Although colorectal cancer is preventable, it remains the second leading cause of cancer death in Texas. Early detection of cancer through screening is key to improving survival rates and reducing mortality. As such, thousands of deaths could be avoided if coverage requirements for early detection were updated to adhere to current recommendations. S.B. 1028 seeks to do this by lowering the age at which the coverage requirement applies to 45 years of age and expanding the examinations, preventative services, and laboratory tests that must be covered.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1028 amends the Insurance Code to revise the scope of the minimum required health benefit plan coverage for colorectal cancer early detection in the following ways:

- by lowering from 50 years of age to 45 years of age the age at which an applicable enrollee must begin receiving the coverage through their health benefit plan; and
- by expanding the examinations, services, and tests that must be covered to include the following:
 - all colorectal cancer examinations, preventive services, and laboratory tests assigned a grade of "A" or "B" by the U.S. Preventive Services Task Force for average-risk individuals, including the services that may be assigned a grade of "A" or "B" in the future; and
 - an initial colonoscopy or other medical test or procedure for colorectal cancer screening and a follow-up colonoscopy if the results of the initial colonoscopy, test, or procedure are abnormal.

The bill limits the circumstances under which an applicable managed care plan may impose a cost-sharing requirement for an enrollee for the colorectal cancer detection coverage to those in which the enrollee obtains the covered benefit or service outside of the plan's network.

S.B. 1028 revises the applicability of the required coverage for colorectal cancer early detection as follows:

- provides for the application of the coverage requirement to the following:
 - a small employer health benefit plan written under the Health Insurance Portability and Availability Act or coverage that is provided by a health group cooperative under that act; and
 - a reciprocal or interinsurance exchange; and
- excludes the following from the coverage requirement:
 - a plan that provides coverage only for dental or vision care;
 - a credit-only insurance policy;
 - a limited benefit policy that does not provide coverage for physical examinations or wellness exams; and
 - a multiple employer welfare arrangement that holds a certificate of authority under state law.

S.B. 1028 applies only to a health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2022.

EFFECTIVE DATE

September 1, 2021.