

By: Anchia

H.B. No. 1045

A BILL TO BE ENTITLED

AN ACT

relating to health care benefits of persons wrongfully imprisoned.

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

SECTION 1. Section 103.001(d), Civil Practice and Remedies Code, is amended to read as follows:

(d) Subject to this section, a person entitled to compensation under Subsection (a) is also eligible to obtain group health benefit plan coverage through the Texas Department of Criminal Justice as if the person were an employee of the department. The [This subsection does not entitle the] person's spouse and dependents may be included in the person's [or other dependent or family member to group health benefit plan] coverage as if the person were an employee of the department. Coverage may be obtained under this subsection for a period of time equal to the total period the claimant served for the crime for which the claimant was wrongfully imprisoned, including any period during which the claimant was released on parole or to mandatory supervision or required to register under Chapter 62, Code of Criminal Procedure. A person who elects to obtain coverage under this subsection shall pay a monthly contribution equal to the total amount of the monthly contributions for that coverage for an employee of the department.

SECTION 2. A person who, before the effective date of this Act, obtained group health benefit plan coverage under Section

1 103.001(d), Civil Practice and Remedies Code, as the law existed
2 before the effective date of this Act, may elect to include the
3 person's spouse and dependents in the person's coverage as provided
4 by Section 103.001(d), Civil Practice and Remedies Code, as amended
5 by this Act. An election under this section must be made:

- 6 (1) not later than March 1, 2022; or
7 (2) during any subsequent open enrollment period
8 applicable to employees of the Texas Department of Criminal
9 Justice.

10 SECTION 3. This Act takes effect September 1, 2021.