

AN ACT

relating to a parity complaint portal and educational materials and parity law training regarding benefits for mental health conditions and substance use disorders to be made available through the portal and otherwise; designating October as mental health condition and substance use disorder parity awareness month.

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

SECTION 1. Subchapter D, Chapter 662, Government Code, is amended by adding Section 662.115 to read as follows:

Sec. 662.115. MENTAL HEALTH CONDITION AND SUBSTANCE USE DISORDER PARITY AWARENESS MONTH. (a) October is Mental Health Condition and Substance Use Disorder Parity Awareness Month to increase awareness of and compliance with state and federal rules, regulations, and statutes concerning the availability of, and terms and conditions of, benefits for mental health conditions and substance use disorders.

(b) Mental Health Condition and Substance Use Disorder Parity Awareness Month may be regularly observed through appropriate activities in communities to increase awareness of and education on the available benefits for mental health conditions and substance use disorders.

SECTION 2. Subchapter F, Chapter 1355, Insurance Code, is amended by adding Sections 1355.2571 and 1355.2572 to read as follows:

1 Sec. 1355.2571. PARITY COMPLAINT PORTAL. (a) The
2 commissioner shall develop and maintain a parity complaint portal
3 that is an integrated system that allows for the enrollee of a
4 health benefit plan to submit complaints of suspected violations of
5 the provisions of this subchapter. The parity complaint portal
6 must:

7 (1) allow for an enrollee to submit a complaint
8 through multiple ways;

9 (2) provide updates on the status of an enrollee's
10 complaint;

11 (3) ensure timely, effective, and equitable
12 resolution for submitted complaints;

13 (4) include educational materials regarding:

14 (A) benefits for mental health conditions and
15 substance use disorders required under this subchapter;

16 (B) an enrollee's rights and responsibilities
17 under a health benefit plan concerning coverage under this
18 subchapter;

19 (C) circumstances under which a claim may be
20 denied; and

21 (D) the processes for reviewing a complaint
22 submitted through the portal;

23 (5) adhere to national best practices as determined by
24 the commissioner; and

25 (6) include the findings of the report required by
26 Section 1355.2572(b).

27 (b) In developing the parity complaint portal under

1 Subsection (a), the commissioner:

2 (1) shall conduct an assessment of complaint portals
3 and similar systems used by other relevant public or private
4 entities;

5 (2) shall develop best practice standards for
6 complaint submissions and tracking consistent with the findings of
7 the assessment conducted under Subdivision (1); and

8 (3) may develop a new complaint portal or modify an
9 existing complaint portal.

10 (c) The Health and Human Services Commission shall appoint a
11 liaison to the department to receive reports of concerns,
12 complaints, and potential violations submitted through the parity
13 complaint portal established under Subsection (a).

14 Sec. 1355.2572. EDUCATIONAL MATERIALS AND PARITY LAW
15 TRAINING; REPORT. (a) The commissioner, in collaboration with the
16 Health and Human Services Commission's ombudsman for behavioral
17 health, shall develop educational materials and parity law training
18 sessions regarding the coverage for mental health conditions and
19 substance use disorders required under this subchapter. The
20 commissioner shall ensure that the materials and training sessions:

21 (1) are available to health benefit plan issuers and
22 enrollees;

23 (2) include online, print, and in-person formats;

24 (3) are made available through the parity complaint
25 portal established under Section 1355.2571 and at relevant
26 locations and settings, including:

27 (A) any relevant agency offices;

1 (B) health benefit plan provider service
2 locations; and

3 (C) relevant professional conferences and trade
4 association meetings; and

5 (4) include a list of relevant third-party
6 organization educational and parity law awareness materials that
7 provide additional information regarding mental health conditions
8 and substance use disorder parity and, if provided in an online
9 format, provide the links needed to access those materials online.

10 (b) Not later than September 1 of each year, the
11 commissioner, in collaboration with the Health and Human Services
12 Commission's ombudsman for behavioral health, shall:

13 (1) prepare and submit a report to the appropriate
14 committees of the legislature and the appropriate state agencies on
15 the status of:

16 (A) rights and responsibilities for mental
17 health condition and substance use disorder benefits; and

18 (B) resolved and unresolved complaints submitted
19 through the parity complaint portal established under Section
20 1355.2571(a); and

21 (2) publish the findings of the report under
22 Subdivision (1) to the parity complaint portal established under
23 Section 1355.2571(a).

24 SECTION 3. As soon as practicable after the effective date
25 of this Act, the commissioner of insurance shall develop:

26 (1) the parity complaint portal required by Section
27 1355.2571, Insurance Code, as added by this Act; and

1 (2) the educational materials and parity law training
2 sessions required by Section 1355.2572, Insurance Code, as added by
3 this Act.

4 SECTION 4. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 2595 was passed by the House on May 6, 2021, by the following vote: Yeas 122, Nays 24, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2595 was passed by the Senate on May 27, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor