

By: Price

H.B. No. 2595

Substitute the following for H.B. No. 2595:

By: Oliverson

C.S.H.B. No. 2595

A BILL TO BE ENTITLED

1

AN ACT

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

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

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

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

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

22 SECTION 2. Subchapter F, Chapter 1355, Insurance Code, is  
23 amended by adding Sections 1355.2571 and 1355.2572 to read as  
24 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.