

1-1 By: Price, et al. (Senate Sponsor - Nelson) H.B. No. 2595
1-2 (In the Senate - Received from the House May 10, 2021;
1-3 May 12, 2021, read first time and referred to Committee on Business
1-4 & Commerce; May 20, 2021, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to a parity complaint portal and educational materials and
1-20 parity law training regarding benefits for mental health conditions
1-21 and substance use disorders to be made available through the portal
1-22 and otherwise; designating October as mental health condition and
1-23 substance use disorder parity awareness month.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter D, Chapter 662, Government Code, is
1-26 amended by adding Section 662.115 to read as follows:

1-27 Sec. 662.115. MENTAL HEALTH CONDITION AND SUBSTANCE USE
1-28 DISORDER PARITY AWARENESS MONTH. (a) October is Mental Health
1-29 Condition and Substance Use Disorder Parity Awareness Month to
1-30 increase awareness of and compliance with state and federal rules,
1-31 regulations, and statutes concerning the availability of, and terms
1-32 and conditions of, benefits for mental health conditions and
1-33 substance use disorders.

1-34 (b) Mental Health Condition and Substance Use Disorder
1-35 Parity Awareness Month may be regularly observed through
1-36 appropriate activities in communities to increase awareness of and
1-37 education on the available benefits for mental health conditions
1-38 and substance use disorders.

1-39 SECTION 2. Subchapter F, Chapter 1355, Insurance Code, is
1-40 amended by adding Sections 1355.2571 and 1355.2572 to read as
1-41 follows:

1-42 Sec. 1355.2571. PARITY COMPLAINT PORTAL. (a) The
1-43 commissioner shall develop and maintain a parity complaint portal
1-44 that is an integrated system that allows for the enrollee of a
1-45 health benefit plan to submit complaints of suspected violations of
1-46 the provisions of this subchapter. The parity complaint portal
1-47 must:

1-48 (1) allow for an enrollee to submit a complaint
1-49 through multiple ways;

1-50 (2) provide updates on the status of an enrollee's
1-51 complaint;

1-52 (3) ensure timely, effective, and equitable
1-53 resolution for submitted complaints;

1-54 (4) include educational materials regarding:

1-55 (A) benefits for mental health conditions and
1-56 substance use disorders required under this subchapter;

1-57 (B) an enrollee's rights and responsibilities
1-58 under a health benefit plan concerning coverage under this
1-59 subchapter;

1-60 (C) circumstances under which a claim may be
1-61 denied; and

2-1 (D) the processes for reviewing a complaint
2-2 submitted through the portal;
2-3 (5) adhere to national best practices as determined by
2-4 the commissioner; and
2-5 (6) include the findings of the report required by
2-6 Section 1355.2572(b).
2-7 (b) In developing the parity complaint portal under
2-8 Subsection (a), the commissioner:
2-9 (1) shall conduct an assessment of complaint portals
2-10 and similar systems used by other relevant public or private
2-11 entities;
2-12 (2) shall develop best practice standards for
2-13 complaint submissions and tracking consistent with the findings of
2-14 the assessment conducted under Subdivision (1); and
2-15 (3) may develop a new complaint portal or modify an
2-16 existing complaint portal.
2-17 (c) The Health and Human Services Commission shall appoint a
2-18 liaison to the department to receive reports of concerns,
2-19 complaints, and potential violations submitted through the parity
2-20 complaint portal established under Subsection (a).
2-21 Sec. 1355.2572. EDUCATIONAL MATERIALS AND PARITY LAW
2-22 TRAINING; REPORT. (a) The commissioner, in collaboration with the
2-23 Health and Human Services Commission's ombudsman for behavioral
2-24 health, shall develop educational materials and parity law training
2-25 sessions regarding the coverage for mental health conditions and
2-26 substance use disorders required under this subchapter. The
2-27 commissioner shall ensure that the materials and training sessions:
2-28 (1) are available to health benefit plan issuers and
2-29 enrollees;
2-30 (2) include online, print, and in-person formats;
2-31 (3) are made available through the parity complaint
2-32 portal established under Section 1355.2571 and at relevant
2-33 locations and settings, including:
2-34 (A) any relevant agency offices;
2-35 (B) health benefit plan provider service
2-36 locations; and
2-37 (C) relevant professional conferences and trade
2-38 association meetings; and
2-39 (4) include a list of relevant third-party
2-40 organization educational and parity law awareness materials that
2-41 provide additional information regarding mental health conditions
2-42 and substance use disorder parity and, if provided in an online
2-43 format, provide the links needed to access those materials online.
2-44 (b) Not later than September 1 of each year, the
2-45 commissioner, in collaboration with the Health and Human Services
2-46 Commission's ombudsman for behavioral health, shall:
2-47 (1) prepare and submit a report to the appropriate
2-48 committees of the legislature and the appropriate state agencies on
2-49 the status of:
2-50 (A) rights and responsibilities for mental
2-51 health condition and substance use disorder benefits; and
2-52 (B) resolved and unresolved complaints submitted
2-53 through the parity complaint portal established under Section
2-54 1355.2571(a); and
2-55 (2) publish the findings of the report under
2-56 Subdivision (1) to the parity complaint portal established under
2-57 Section 1355.2571(a).
2-58 SECTION 3. As soon as practicable after the effective date
2-59 of this Act, the commissioner of insurance shall develop:
2-60 (1) the parity complaint portal required by Section
2-61 1355.2571, Insurance Code, as added by this Act; and
2-62 (2) the educational materials and parity law training
2-63 sessions required by Section 1355.2572, Insurance Code, as added by
2-64 this Act.
2-65 SECTION 4. This Act takes effect September 1, 2021.

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