

AN ACT

relating to coverage for diagnostic imaging for breast cancer under certain health benefit plans.

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

SECTION 1. The heading to Chapter 1356, Insurance Code, is amended to read as follows:

CHAPTER 1356. MAMMOGRAPHY AND OTHER BREAST IMAGING

SECTION 2. Section 1356.001(1-a), Insurance Code, is amended to read as follows:

(1-a) "Diagnostic imaging [~~mammogram~~]" means an imaging examination using mammography, ultrasound imaging, or magnetic resonance imaging that is designed to evaluate:

(A) a subjective or objective abnormality detected by a physician or patient in a breast;

(B) an abnormality seen by a physician on a screening mammogram;

(C) an abnormality previously identified by a physician as probably benign in a breast for which follow-up imaging is recommended by a physician; or

(D) an individual with a personal history of breast cancer or dense breast tissue.

SECTION 3. Section 1356.005(a-1), Insurance Code, is amended to read as follows:

(a-1) A health benefit plan that provides coverage for a

1 screening mammogram must provide coverage for [~~a~~] diagnostic
2 imaging [~~mammogram~~] that is no less favorable than the coverage for
3 a screening mammogram.

4 SECTION 4. If before implementing any provision of this Act
5 a state agency determines that a waiver or authorization from a
6 federal agency is necessary for implementation of that provision,
7 the agency affected by the provision shall request the waiver or
8 authorization and may delay implementing that provision until the
9 waiver or authorization is granted.

10 SECTION 5. The change in law made by this Act applies only
11 to a health benefit plan that is delivered, issued for delivery, or
12 renewed on or after January 1, 2022. A health benefit plan that is
13 delivered, issued for delivery, or renewed before January 1, 2022,
14 is governed by the law as it existed immediately before the
15 effective date of this Act, and that law is continued in effect for
16 that purpose.

17 SECTION 6. The Texas Department of Insurance, the Employees
18 Retirement System of Texas, the Teacher Retirement System of Texas,
19 The University of Texas System, The Texas A&M University System,
20 and any other state agency or institution subject to this Act are
21 required to implement a provision of this Act only if the
22 legislature appropriates money specifically for that purpose. If
23 the legislature does not appropriate money specifically for that
24 purpose, those agencies may, but are not required to, implement a
25 provision of this Act using other appropriations available for that
26 purpose.

27 SECTION 7. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1065 passed the Senate on April 29, 2021, by the following vote: Yeas 30, Nays 1; and that the Senate concurred in House amendment on May 29, 2021, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1065 passed the House, with amendment, on May 26, 2021, by the following vote: Yeas 118, Nays 29, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor