

1-1 By: Ordaz, et al. (Senate Sponsor - Paxton) H.B. No. 916
 1-2 (In the Senate - Received from the House April 18, 2023;
 1-3 April 19, 2023, read first time and referred to Committee on Health
 1-4 & Human Services; May 15, 2023, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 15, 2023, sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 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 | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 916 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to health benefit plan coverage of prescription
 1-22 contraceptive drugs.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 1369.102, Insurance Code, is amended to
 1-25 read as follows:

1-26 Sec. 1369.102. APPLICABILITY OF SUBCHAPTER. Except as
 1-27 otherwise provided by this subchapter, this [This] subchapter
 1-28 applies only to a health benefit plan, including a small employer
 1-29 health benefit plan written under Chapter 1501, that provides
 1-30 benefits for medical or surgical expenses incurred as a result of a
 1-31 health condition, accident, or sickness, including an individual,
 1-32 group, blanket, or franchise insurance policy or insurance
 1-33 agreement, a group hospital service contract, or an individual or
 1-34 group evidence of coverage or similar coverage document that is
 1-35 offered by:

- 1-36 (1) an insurance company;
- 1-37 (2) a group hospital service corporation operating
- 1-38 under Chapter 842;
- 1-39 (3) a fraternal benefit society operating under
- 1-40 Chapter 885;
- 1-41 (4) a stipulated premium company operating under
- 1-42 Chapter 884;
- 1-43 (5) a reciprocal exchange operating under Chapter 942;
- 1-44 (6) a health maintenance organization operating under
- 1-45 Chapter 843;
- 1-46 (7) a multiple employer welfare arrangement that holds
- 1-47 a certificate of authority under Chapter 846; or
- 1-48 (8) an approved nonprofit health corporation that
- 1-49 holds a certificate of authority under Chapter 844.

1-50 SECTION 2. Subchapter C, Chapter 1369, Insurance Code, is
 1-51 amended by adding Section 1369.1031 to read as follows:

1-52 Sec. 1369.1031. CERTAIN COVERAGE REQUIRED. (a) This
 1-53 section applies to a health benefit plan described by Section
 1-54 1369.102.

1-55 (b) Notwithstanding any other law, this section applies to:

- 1-56 (1) a standard health benefit plan issued under
- 1-57 Chapter 1507;
- 1-58 (2) a basic coverage plan under Chapter 1551;
- 1-59 (3) a basic plan under Chapter 1575;
- 1-60 (4) a primary care coverage plan under Chapter 1579;

2-1 (5) a plan providing basic coverage under Chapter
2-2 1601;

2-3 (6) group health coverage made available by a school
2-4 district in accordance with Section 22.004, Education Code; and

2-5 (7) the state Medicaid program, including the Medicaid
2-6 managed care program operated under Chapter 533, Government Code.

2-7 (c) A health benefit plan that provides benefits for a
2-8 prescription contraceptive drug must provide for an enrollee to
2-9 obtain up to:

2-10 (1) a three-month supply of the covered prescription
2-11 contraceptive drug at one time the first time the enrollee obtains
2-12 the drug; and

2-13 (2) a 12-month supply of the covered prescription
2-14 contraceptive drug at one time each subsequent time the enrollee
2-15 obtains the same drug, regardless of whether the enrollee was
2-16 enrolled in the health benefit plan the first time the enrollee
2-17 obtained the drug.

2-18 (d) An enrollee may obtain only one 12-month supply of a
2-19 covered prescription contraceptive drug during each 12-month
2-20 period.

2-21 SECTION 3. The change in law made by this Act applies only
2-22 to a health benefit plan that is delivered, issued for delivery, or
2-23 renewed on or after January 1, 2024. A health benefit plan that is
2-24 delivered, issued for delivery, or renewed before January 1, 2024,
2-25 is governed by the law as it existed immediately before the
2-26 effective date of this Act, and that law is continued in effect for
2-27 that purpose.

2-28 SECTION 4. This Act takes effect September 1, 2023.

2-29 * * * * *