

**BILL ANALYSIS**

H.B. 388  
By: Harris Davila  
Insurance  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

The author has informed the committee that many of the major health insurance carriers in Texas have unique questionnaires asking for the same or similar information with respect to the coordination of benefits for patients covered under dual plans, and that the need to coordinate the forms of different carriers can cause errors resulting in patients receiving a surprise bill. H.B. 388 seeks to prevent such errors and help expedite the coordination of benefits process by requiring the Texas Department of Insurance to establish a uniform coordination of benefits questionnaire to be used by health benefit plan issuers in Texas.

**CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

**RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of insurance in SECTION 1 of this bill.

**ANALYSIS**

H.B. 388 amends the Insurance Code to require the commissioner of insurance, in collaboration with appropriate stakeholders and not later than January 1, 2026, to adopt rules establishing a uniform coordination of benefits questionnaire to be used by all health benefit plan issuers in Texas. The bill requires each health benefit plan issuer that issues a health benefit plan that includes a coordination of benefits provision to use the questionnaire and make the questionnaire available to health care providers as appropriate. The bill specifies the types of plans to which its provisions apply. The bill applies only to the use of a coordination of benefits questionnaire on or after February 1, 2026.

**EFFECTIVE DATE**

September 1, 2025.