

1-1 By: Harris Davila (Senate Sponsor - Hughes) H.B. No. 388
1-2 (In the Senate - Received from the House April 29, 2025;
1-3 April 30, 2025, read first time and referred to Committee on Health
1-4 & Human Services; May 9, 2025, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 9, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
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 uniform coordination of benefits questionnaire for
1-20 health benefit plans.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter [1203](#), Insurance Code, is amended by
1-23 adding Subchapter D to read as follows:

1-24 SUBCHAPTER D. COORDINATION OF BENEFITS QUESTIONNAIRE

1-25 Sec. 1203.151. APPLICABILITY OF SUBCHAPTER. (a) This
1-26 subchapter applies only to a health benefit plan that provides
1-27 benefits for medical or surgical expenses incurred as a result of a
1-28 health condition, accident, or sickness, including an individual,
1-29 group, blanket, or franchise insurance policy or insurance
1-30 agreement, a group hospital service contract, or an individual or
1-31 group evidence of coverage or similar coverage document that is
1-32 issued by:

1-33 (1) an insurance company;

1-34 (2) a group hospital service corporation operating
1-35 under Chapter [842](#);

1-36 (3) a health maintenance organization operating under
1-37 Chapter [843](#);

1-38 (4) an approved nonprofit health corporation that
1-39 holds a certificate of authority under Chapter [844](#);

1-40 (5) a multiple employer welfare arrangement that holds
1-41 a certificate of authority under Chapter [846](#);

1-42 (6) a stipulated premium company operating under
1-43 Chapter [884](#);

1-44 (7) a Lloyd's plan operating under Chapter [941](#); or

1-45 (8) an exchange operating under Chapter [942](#).

1-46 (b) Notwithstanding any other law, this subchapter applies
1-47 to:

1-48 (1) a small employer health benefit plan subject to
1-49 Chapter [1501](#), including coverage provided through a health group
1-50 cooperative under Subchapter B of that chapter;

1-51 (2) a standard health benefit plan issued under
1-52 Chapter [1507](#);

1-53 (3) a basic coverage plan under Chapter [1551](#);

1-54 (4) a basic plan under Chapter [1575](#);

1-55 (5) a primary care coverage plan under Chapter [1579](#);

1-56 (6) a plan providing basic coverage under Chapter
1-57 [1601](#);

1-58 (7) alternative health benefit coverage offered by a
1-59 subsidiary of the Texas Mutual Insurance Company under Subchapter
1-60 [M](#), Chapter [2054](#);

1-61 (8) group health coverage made available by a school

district in accordance with Section 22.004, Education Code;
 (9) the state Medicaid program, including the Medicaid
 managed care program operated under Chapter 540, Government Code;
 (10) the child health plan program under Chapter 62,
 Health and Safety Code;
 (11) a regional or local health care program operated
 under Section 75.104, Health and Safety Code; and
 (12) a self-funded health benefit plan sponsored by a
 professional employer organization under Chapter 91, Labor Code.

Sec. 1203.152. CREATION OF UNIFORM COORDINATION OF BENEFITS
 QUESTIONNAIRE. In collaboration with appropriate stakeholders,
 the commissioner shall adopt rules establishing a uniform
 coordination of benefits questionnaire to be used by all health
 benefit plan issuers in this state.

Sec. 1203.153. UNIFORM COORDINATION OF BENEFITS
 QUESTIONNAIRE REQUIRED. Each health benefit plan issuer that
 issues a health benefit plan that includes a coordination of
 benefits provision shall use the uniform coordination of benefits
 questionnaire established under Section 1203.152 and make the
 questionnaire available to health care providers as appropriate.

SECTION 2. (a) Not later than January 1, 2026, the
 commissioner of insurance shall adopt rules establishing the
 uniform coordination of benefits questionnaire under Section
 1203.152, Insurance Code, as added by this Act.

(b) The changes in law made by this Act apply only to the use
 of a coordination of benefits questionnaire on or after February 1,
 2026.

SECTION 3. This Act takes effect September 1, 2025.

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