

By: Johnson

H.B. No. 2290

A BILL TO BE ENTITLED

AN ACT

relating to health benefits offered by institutions of higher education to students and their families.

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

SECTION 1. Section 1275.002, Insurance Code, is amended to read as follows:

Sec. 1275.002. APPLICABILITY OF CHAPTER. This chapter applies only to:

(1) a health benefit plan offered by a nonprofit agricultural organization under Chapter 1682; ~~and~~

(2) a health benefit plan:

(A) that is a self-insured or self-funded plan established by an employer for the benefit of the employer's employees in accordance with the Employee Retirement Income Security Act of 1974 (29 U.S.C. Section 1001 et seq.); and

(B) for which the plan sponsor has made an election, submitted to the commissioner in the form and manner prescribed by the commissioner, to apply this chapter to the plan for the relevant plan year; and

(3) a health benefit plan offered by an institution of higher education under Chapter 1683.

SECTION 2. Subtitle K, Title 8, Insurance Code, is amended by adding Chapter 1683 to read as follows:

CHAPTER 1683. HEALTH BENEFITS PROVIDED BY CERTAIN INSTITUTIONS OF

HIGHER EDUCATION

Sec. 1683.001. DEFINITIONS. In this chapter:

(1) "Institution of higher education" means:

(A) an institution of higher education, as defined by Section 61.003, Education Code; or

(B) a private or independent institution of higher education, as defined by Section 61.003, Education Code.

(2) "Higher education health benefits" means health benefits:

(A) sponsored by an institution of higher education or an affiliate of the institution;

(B) offered only to:

(i) students enrolled at the institution of higher education; and

(ii) family members of students enrolled at the institution of higher education;

(C) that are not provided through an insurance policy or other product the offering or issuance of which is regulated as the business of insurance in this state; and

(D) that are deemed by the institution of higher education to be important in assisting its students and their families to live long and productive lives.

(3) "Preexisting condition" means a condition present before the effective date of an individual's enrollment in higher education health benefits.

Sec. 1683.002. HIGHER EDUCATION HEALTH BENEFITS AUTHORIZED. An institution of higher education or an affiliate of

1 the institution may offer in this state higher education health
2 benefits.

3 Sec. 1683.003. WAITING PERIOD FOR PREEXISTING CONDITION.
4 Notwithstanding any other provision of this chapter, an institution
5 of higher education that offers higher education health benefits
6 may not require a waiting period of more than six months for
7 treatment of a preexisting condition otherwise included in higher
8 education health benefits.

9 Sec. 1683.004. REQUIRED DISCLOSURE FOR HIGHER EDUCATION
10 HEALTH BENEFITS. (a) An institution of higher education that
11 offers higher education health benefits must provide to an
12 individual applying for higher education health benefits written
13 notice that the benefits are not provided through an insurance
14 policy or other product the offering or issuance of which is
15 regulated as the business of insurance in this state.

16 (b) An individual must sign and return to the institution of
17 higher education the notice described by Subsection (a) before the
18 individual may enroll in higher education health benefits. The
19 institution of higher education must:

20 (1) maintain a copy of the signed written notice for
21 the duration of the term during which the higher education health
22 benefits are provided to the individual; and

23 (2) at the request of the individual, provide a copy of
24 the written notice to the individual.

25 Sec. 1683.005. INSTITUTION OF HIGHER EDUCATION NOT ENGAGED
26 IN BUSINESS OF HEALTH INSURANCE; REGISTRATION REQUIRED. (a)
27 Notwithstanding any other provision of this code, for the purposes

1 of offering higher education health benefits, an institution of
2 higher education that acts in accordance with this chapter is not a
3 health insurer and is not engaging in the business of health
4 insurance in this state.

5 (b) An institution of higher education that offers higher
6 education health benefits must register with the department and
7 provide information as needed to facilitate compliance with Chapter
8 1467, as applicable to those benefits under Section 1275.004.

9 Sec. 1683.006. RISK TRANSFER OR COVERAGE. An institution
10 of higher education that offers higher education health benefits
11 under this chapter may contract with a company authorized to engage
12 in the business of insurance in this state that is not under common
13 control with the institution of higher education to:

14 (1) transfer to that company all or a portion of the
15 organization's risks arising from higher education health benefits
16 offered under this chapter; or

17 (2) obtain insurance coverage from the company
18 guarantying the institution of higher education's obligations
19 arising from higher education health benefits offered under this
20 chapter.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2025.