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et al.

H.B. No. 2516

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain individuals younger than 65 years of age to purchase Medicare supplement benefit plans.

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

SECTION 1. This Act shall be known as the Chris Larkin ALS Act.

SECTION 2. Subchapter B, Chapter 1652, Insurance Code, is amended by adding Sections 1652.059 and 1652.060 to read as follows:

Sec. 1652.059. COVERAGE FOR CERTAIN INDIVIDUALS YOUNGER THAN 65. (a) In this section, "entity" means an entity that delivers or issues for delivery a Medicare supplement benefit plan in this state.

(b) An entity that offers coverage under a Medicare supplement benefit plan to individuals 65 years of age or older must offer the same coverage to individuals younger than 65 years of age who are eligible for and enrolled in Medicare by reason of disability, end stage renal disease, or amyotrophic lateral sclerosis.

(c) Except as otherwise provided by rules adopted under Section 1652.051, any benefit, protection, policy, or procedure applicable to coverage under a plan for an individual 65 years of age or older must apply to coverage offered under Subsection (b).

(d) A standardized Plan A, Plan B, or Plan D Medicare

1 supplement benefit plan offered under Subsection (b) must be  
2 offered at the same premium rate charged for the plan to an  
3 individual 65 years of age. A premium rate for a Medicare  
4 supplement benefit plan offered under Subsection (b), other than  
5 Plan A, Plan B, or Plan D, may not exceed 200 percent of the premium  
6 rate charged for the same plan to an individual 65 years of age.

7 Sec. 1652.060. ENROLLMENT PERIOD FOR CERTAIN INDIVIDUALS  
8 YOUNGER THAN 65. (a) In this section, "entity" means an entity  
9 that delivers or issues for delivery a Medicare supplement benefit  
10 plan in this state.

11 (b) An individual eligible for coverage under a Medicare  
12 supplement benefit plan under Section 1652.059 may enroll any time  
13 during the six-month period beginning the first day of the first  
14 month the individual becomes enrolled for benefits under Medicare  
15 Part B.

16 (c) During an enrollment period, an entity may not, with  
17 respect to an applicant who is an individual described by  
18 Subsection (b):

19 (1) deny or condition the issuance or effectiveness of  
20 a Medicare supplement benefit plan or certificate that the entity  
21 offers and is available for issuance in this state;

22 (2) subject the applicant to medical underwriting or  
23 discriminate in the price of a Medicare supplement benefit plan or  
24 certificate because of the applicant's health status, claims  
25 experience, receipt of health care, or medical condition;

26 (3) impose a waiting period; or

27 (4) impose a limitation or exclusion of benefits based

1 on the applicant's preexisting condition.

2 (d) The commissioner shall adopt rules as necessary to  
3 administer this section, including rules designating enrollment  
4 periods.

5 SECTION 3. The changes in law made by this Act apply only to  
6 a Medicare supplement benefit plan delivered, issued for delivery,  
7 or renewed on or after September 1, 2025.

8 SECTION 4. In addition to other enrollment periods provided  
9 by law, an individual younger than 65 years of age and enrolled in  
10 Medicare Part B by reason of disability, end stage renal disease, or  
11 amyotrophic lateral sclerosis on the effective date of this Act may  
12 apply for coverage under a Medicare supplement benefit plan:

13 (1) after August 31, 2025, and before March 2, 2026; or

14 (2) if the individual is unable to submit an  
15 application for coverage under the plan during the period described  
16 by Subdivision (1) of this section because the application is not  
17 available and the individual requested the application during that  
18 period, during a six-month period beginning on the date the  
19 application initially becomes available.

20 SECTION 5. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2025.