

AN ACT

relating to health benefit plans for students at institutions of higher education and the operation of certain health benefit plans through student health centers at certain institutions of higher education.

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

SECTION 1. The heading to Section 51.952, Education Code, is amended to read as follows:

Sec. 51.952. STUDENT HEALTH INSURANCE AT MEDICAL AND DENTAL UNITS.

SECTION 2. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9521 to read as follows:

Sec. 51.9521. STUDENT HEALTH INSURANCE AT GENERAL ACADEMIC TEACHING INSTITUTIONS. (a) In this section:

(1) "Health benefit plan" means any health benefit plan regulated under the Insurance Code, including:

(A) an individual, group, or blanket health insurance policy; or

(B) an evidence of coverage issued by a health maintenance organization.

(2) "High deductible health plan" has the meaning assigned by Section 223, Internal Revenue Code of 1986.

(3) "General academic teaching institution" and "university system" have the meanings assigned by Section 61.003.

1 (b) A general academic teaching institution with a total
2 student enrollment of more than 20,000 students in one or more
3 semesters of the preceding academic year shall offer or sponsor,
4 directly or through the university system, if any, of which the
5 institution is a component, one or more health benefit plans for the
6 students of the institution. At least one health benefit plan
7 offered under this section must be a high deductible health plan.

8 (c) When offering the health benefit plan to students, the
9 institution shall collect information from each student that
10 declines to accept the coverage offered through the institution,
11 including whether the decision to decline coverage was as a result
12 of:

13 (1) the student's existing health benefit plan
14 coverage from another source;

15 (2) the cost of the health benefit plan;

16 (3) the type of health benefit plan offered by the
17 institution; or

18 (4) the student not desiring a health benefit plan at
19 that time.

20 (d) Data collected by the institution may be provided to the
21 public in the aggregate.

22 SECTION 3. The heading to Section 51.953, Education Code,
23 is amended to read as follows:

24 Sec. 51.953. [~~CERTAIN REVENUE RECEIVED FROM~~] STUDENT HEALTH
25 CENTER [~~SERVICES~~].

26 SECTION 4. Section 51.953, Education Code, is amended by
27 adding Subsections (c), (d), (e), (f), (g), and (h) to read as

1 follows:

2 (c) A student health center of an institution of higher
3 education with a total student enrollment of more than 20,000
4 students in one or more semesters of the preceding academic year
5 shall assist a student or other person entitled to obtain health
6 care services through the health center in receiving benefits under
7 a health benefit plan in which the student or other person is an
8 enrollee by filing or having a claim filed with the issuer of the
9 health benefit plan on behalf of the student or other person. The
10 institution may contract with a third-party billing service to
11 provide the assistance required by this subsection.

12 (d) An institution of higher education, on behalf of the
13 institution's student health center, may contract with a health
14 benefit plan issuer that engages in the business of insurance in the
15 health service region established by the Department of State Health
16 Services in which the institution is located to provide a health
17 benefit plan under which health care services are provided to
18 students or other persons entitled to obtain health care services
19 through the student health center who are covered by the plan.

20 (e) An institution of higher education described by
21 Subsection (c) must enter into contracts with at least three of the
22 largest health benefit plan issuers that engage in the business of
23 insurance in the health service region established by the
24 Department of State Health Services in which the institution is
25 located under which the institution's student health center:

26 (1) serves as a preferred provider under the preferred
27 provider benefit plans operated by the issuers; or

1 (2) operates as a provider of in-network coverage
2 under the health maintenance organizations operated by the issuers.

3 (f) An institution of higher education may authorize the
4 institution's student health center to accept a student's medical
5 services fee, as charged by the institution under Chapter 54, as
6 payment toward:

7 (1) a copayment;

8 (2) a deductible; or

9 (3) a charge for a service not covered by the student's
10 health benefit plan.

11 (g) Money received by the student health center as a result
12 of a claim filed by or on behalf of a student through a health
13 benefit plan shall be retained for use by the student health center.

14 (h) Not later than January 15 of each year, the governing
15 board of an institution of higher education described by Subsection
16 (c) shall report to the legislature the amount of the following
17 sources of income for funding the institution's student health
18 center:

19 (1) money received from student fees and charges;

20 (2) money received from the operation of the student
21 health center's pharmacy;

22 (3) money received as a result of a claim filed by or
23 on behalf of the institution's student health center under a health
24 benefit plan sponsored by or administered on behalf of the
25 institution; and

26 (4) money received as a result of a claim filed by or
27 on behalf of the institution's student health center under a health

1 benefit plan other than a plan sponsored by or administered on
2 behalf of the institution.

3 SECTION 5. Section 51.9521, Education Code, as added by
4 this Act, applies beginning with the 2010 fall semester.

5 SECTION 6. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 103 was passed by the House on May 13, 2009, by the following vote: Yeas 143, Nays 4, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 103 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 103 on May 31, 2009, by the following vote: Yeas 139, Nays 5, 2 present, not voting.

Chief Clerk of the House

H.B. No. 103

I certify that H.B. No. 103 was passed by the Senate, with amendments, on May 27, 2009, by the following vote: Yeas 27, Nays 4; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 103 on May 31, 2009, by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

APPROVED: _____

Date

Governor