

1-1 By: Kolkhorst S.B. No. 747
1-2 (In the Senate - Filed February 11, 2019; March 1, 2019,
1-3 read first time and referred to Committee on Business & Commerce;
1-4 March 27, 2019, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 27, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hancock	X		
1-9	Nichols	X		
1-10	Campbell	X		
1-11	Creighton	X		
1-12	Menéndez	X		
1-13	Paxton	X		
1-14	Schwertner	X		
1-15	Whitmire	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to required notice of the cost and health benefit plan
1-20 coverage of newborn screening tests.

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

1-22 SECTION 1. Subchapter B, Chapter 33, Health and Safety
1-23 Code, is amended by adding Section 33.019 to read as follows:

1-24 Sec. 33.019. NOTICE OF COST. (a) The department shall
1-25 publish on its Internet website the cost of a newborn screening test
1-26 kit to be used to comply with the test requirements of Section
1-27 33.011.

1-28 (b) The department may change the cost published under
1-29 Subsection (a) not later than the 90th day before the date the
1-30 department publishes notice of the change on its Internet website.
1-31 If the department changes the cost under this subsection, the
1-32 department shall retain a record of the previous cost until the
1-33 first anniversary of the date of the change.

1-34 SECTION 2. Section 1271.154, Insurance Code, is amended to
1-35 read as follows:

1-36 Sec. 1271.154. WELL-CHILD CARE FROM BIRTH. (a) In this
1-37 section, "well-child care from birth" has the meaning used under
1-38 Section 1302, Public Health Service Act (42 U.S.C. Section 300e-1),
1-39 and its subsequent amendments. The term includes administration of
1-40 newborn screening required by the [Texas] Department of State
1-41 Health Services and the cost of the newborn screening test kit
1-42 described by Section 33.019, Health and Safety Code.

1-43 (b) A health maintenance organization shall ensure that
1-44 each health care plan provided by the health maintenance
1-45 organization includes well-child care from birth that complies
1-46 with:

1-47 (1) federal requirements adopted under Chapter XI,
1-48 Public Health Service Act (42 U.S.C. Section 300e et seq.), and its
1-49 subsequent amendments; and

1-50 (2) the rules adopted by the executive commissioner
1-51 [Texas Department] of the Health and Human Services Commission to
1-52 implement those requirements, including rules on the cost of the
1-53 newborn screening test kit described by Section 33.019, Health and
1-54 Safety Code.

1-55 SECTION 3. Section 1367.003, Insurance Code, is amended to
1-56 read as follows:

1-57 Sec. 1367.003. CERTAIN LIMITATIONS ON COVERAGE FOR NEWBORN
1-58 CHILDREN PROHIBITED. A health benefit plan that provides maternity
1-59 benefits or accident and health coverage for additional newborn
1-60 children may not be issued in this state if the plan excludes or
1-61 limits:

2-1 (1) initial coverage of a newborn child for a period of
 2-2 time; ~~[or]~~
 2-3 (2) coverage for congenital defects of a newborn
 2-4 child; or
 2-5 (3) coverage for administration of the newborn
 2-6 screening tests required by Section 33.011, Health and Safety Code,
 2-7 including for the cost of a newborn screening test kit in the amount
 2-8 provided by the Department of State Health Services on its Internet
 2-9 website under Section 33.019 of that code on the date the test was
 2-10 administered.

2-11 SECTION 4. As soon as practicable after the effective date
 2-12 of this Act, the executive commissioner of the Health and Human
 2-13 Services Commission shall adopt rules necessary to implement this
 2-14 Act.

2-15 SECTION 5. The change in law made by this Act applies only
 2-16 to a health benefit plan delivered, issued for delivery, or renewed
 2-17 on or after January 1, 2020. A health benefit plan delivered,
 2-18 issued for delivery, or renewed before January 1, 2020, is governed
 2-19 by the law as it existed immediately before the effective date of
 2-20 this Act, and that law is continued in effect for that purpose.

2-21 SECTION 6. This Act takes effect September 1, 2019.

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