

1-1 By: Johnson S.B. No. 2016
1-2 (In the Senate - Filed March 12, 2021; April 1, 2021, read
1-3 first time and referred to Committee on Business & Commerce;
1-4 April 8, 2021, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 8, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
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 the applicability of certain provisions mandating the
1-20 provision by certain health benefit plans of health benefits
1-21 requiring cost defrayal by this state.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Chapter 1425, Insurance Code, is amended by
1-24 adding Subchapter A, and a heading is added to that subchapter to
1-25 read as follows:

1-26 SUBCHAPTER A. EXCEPTED BENEFITS

1-27 SECTION 2. Sections 1425.001 and 1425.002, Insurance Code,
1-28 are transferred to Subchapter A, Chapter 1425, Insurance Code, as
1-29 added by this Act.

1-30 SECTION 3. Chapter 1425, Insurance Code, is amended by
1-31 adding Subchapter B to read as follows:

1-32 SUBCHAPTER B. BENEFITS REQUIRING DEFRAIAL

1-33 Sec. 1425.051. DEFINITION. In this subchapter, "qualified
1-34 health plan" has the meaning assigned by 45 C.F.R. Section 155.20.

1-35 Sec. 1425.052. EXEMPTION FROM SUBTITLE FOR BENEFITS
1-36 REQUIRING DEFRAIAL. (a) A provision of this subtitle that is
1-37 enacted on or after January 1, 2012, does not apply to a qualified
1-38 health plan if a determination is made under 45 C.F.R. Section
1-39 155.170 that:

1-40 (1) the provision requires the qualified health plan
1-41 to offer benefits in addition to the essential health benefits
1-42 required under 42 U.S.C. Section 18022(b); and

1-43 (2) this state must make payments to defray the cost of
1-44 the additional benefits mandated by the provision.

1-45 (b) If a determination described by Subsection (a) is made
1-46 as to a qualified health plan, the provision to which the
1-47 determination relates does not apply to a non-qualified health plan
1-48 if the non-qualified health plan is offered in the same market as
1-49 the qualified health plan.

1-50 SECTION 4. This Act takes effect immediately if it receives
1-51 a vote of two-thirds of all the members elected to each house, as
1-52 provided by Section 39, Article III, Texas Constitution. If this
1-53 Act does not receive the vote necessary for immediate effect, this
1-54 Act takes effect September 1, 2021.

1-55 * * * * *