

House Bill 103
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. The heading to Section 51.953, Education Code, is amended to read as follows:

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

SECTION 2. Section 51.953, Education Code, is amended by adding Subsections (c), (d), (e), (f), (g), and (h) to read as follows:

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

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

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Same as House version.

SECTION 2. Section 51.953, Education Code, is amended by adding Subsections (c), (d), (e), (f), (g), and (h) to read as follows:

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

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

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through the student health center who are covered by the plan.

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

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

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

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

(1) a copayment;

(2) a deductible; or

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

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

(h) Not later than January 15 of each year, the governing board of an institution of higher education shall report to the legislature the amount of the following sources of

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through the student health center who are covered by the plan.

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

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

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

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

(1) a copayment;

(2) a deductible; or

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

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

(h) Not later than January 15 of each year, the governing board of an institution of higher education **described by Subsection (c)** shall report to the legislature the amount

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income for funding the institution's student health center:

- (1) money received from student fees and charges;
- (2) money received from the operation of the student health center's pharmacy;
- (3) money received as a result of a claim filed by or on behalf of the institution's student health center under a health benefit plan sponsored by or administered on behalf of the institution; and
- (4) money received as a result of a claim filed by or on behalf of the institution's student health center under a health benefit plan other than a plan sponsored by or administered on behalf of the institution.

No equivalent provision.

SECTION 3. This Act takes effect September 1, 2009.

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of the following sources of income for funding the institution's student health center:

- (1) money received from student fees and charges;
- (2) money received from the operation of the student health center's pharmacy;
- (3) money received as a result of a claim filed by or on behalf of the institution's student health center under a health benefit plan sponsored by or administered on behalf of the institution; and
- (4) money received as a result of a claim filed by or on behalf of the institution's student health center under a health benefit plan other than a plan sponsored by or administered on behalf of the institution.

SECTION __. This Act does not make an appropriation. A provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

Same as House version.

CONFERENCE

The following rows were presented as almost identical to language in the engrossed version of Senate Bill 1179,

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relating to requiring general academic teaching institutions to offer health benefit plans to students.

No equivalent provision.

SECTION __. 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.

No equivalent provision.

SECTION __. 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.
(b) A general academic teaching institution shall offer or sponsor, directly or through the university system, if any, of which the institution is a component, one or more

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health benefit plans for the students of the institution. At least one health benefit plan offered under this section must be a high deductible health plan.

(c) The institution shall provide each student the option to:

(1) enroll in a health benefit plan offered under this section at the time of the student's registration; and

(2) pay the premium or other charges for coverage under the plan in the same payment that includes the student's tuition and fees.

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

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

(2) the cost of the health benefit plan;

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

(4) the student does not desire a health benefit plan at this time.

(e) Data collected by the institution may be provided to the public in the aggregate.

No equivalent provision.

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

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The following rows were presented as identical to language in the engrossed version of Senate Bill 819, relating to the vaccination against bacterial meningitis of certain first-time students at public and private or independent institutions of higher education.

No equivalent provision.

SECTION __. This Act shall be known as the Jamie Schanbaum Act.

No equivalent provision.

SECTION __. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9192 to read as follows:

Sec. 51.9192. BACTERIAL MENINGITIS VACCINATION REQUIRED FOR CERTAIN STUDENTS; EXCEPTIONS. (a) In this section:

(1) "Health practitioner" means any person authorized by law to administer an immunization.

(2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003.

(b) This section applies only to a first-time student of an institution of higher education or private or independent institution of higher education, including a transfer student, who resides in, or has applied for on-campus housing and been approved to reside in, an on-campus dormitory or other on-campus student housing facility at

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the institution.

(c) Except as provided by Subsection (d), a student to whom this section applies or a parent or guardian of the student must provide to the institution, at the time and in the manner prescribed by rules adopted by the Texas Higher Education Coordinating Board, a certificate signed by a health practitioner evidencing that the student has been vaccinated against bacterial meningitis.

(d) A student to whom this section applies or a parent or guardian of the student is not required to comply with Subsection (c) if the student or a parent or guardian of the student submits to the institution:

(1) an affidavit or a certificate signed by a physician who is duly registered and licensed to practice medicine in the United States in which it is stated that, in the physician's opinion, the vaccination required would be injurious to the health and well-being of the student; or

(2) an affidavit signed by the student stating that the student declines the vaccination for bacterial meningitis for reasons of conscience, including a religious belief, except that the exemption provided by this subdivision does not apply during a disaster or public health emergency, terrorist attack, hostile military or paramilitary action, or extraordinary law enforcement emergency declared by an appropriate official or other authority and in effect for the location of the institution the student attends.

(e) The Texas Higher Education Coordinating Board, in consultation with institutions of higher education and

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private or independent institutions of higher education, shall adopt rules for the administration of this section, including rules establishing the date by which a student who is required to comply with Subsection (c) must have received the vaccination required by that subsection, which may not be later than the date the student initially moves into an on-campus dormitory or other on-campus student housing facility at an institution.

SECTION __. Section 51.9192, Education Code, as added by this Act, applies only to first-time students enrolling in public or private or independent institutions of higher education in this state on or after January 1, 2010.

No equivalent provision.