

SUBJECT: Expanding minimum health coverage for ovarian cancer screening

COMMITTEE: Insurance — favorable, without amendment

VOTE: 8 ayes — Oliverson, Vo, J. González, Hull, Israel, Paul, Romero, Sanford

1 nay — Middleton

WITNESSES: For — (*Registered, but did not testify*: James Schwartz, COPA, NCODA, and Texas Oncology; Michelle Wittenburg, KK125 Ovarian Cancer Research Foundation; Clayton Stewart, Texas Medical Association; Roy Paulson, Texas Oncology PA, Texas Society of Clinical Oncology, and The US Oncology Network; Thomas Parkinson)

Against — Jamie Dudensing, Texas Association of Health Plans; Bill Hammond, Texas Employers for Insurance Reform; (*Registered, but did not testify*: Patricia Kolodzey, Blue Cross Blue Shield of Texas; John McCord, NFIB; Megan Herring, Texas Association of Business; Jennifer Cawley, Texas Association of Life and Health Insurers)

On — (*Registered, but did not testify*: Luke Bellsnyder, Texas Department of Insurance)

BACKGROUND: Insurance Code sec. 1370.003 requires health benefit plans that cover diagnostic medical procedures to include coverage for an annual medically recognized diagnostic examination for the early detection of ovarian and cervical cancer. Any woman 18 or older and enrolled in the plan is entitled to the coverage. Required coverage includes at a minimum a CA 125 blood test and a conventional Pap smear screening or a liquid-based cytology screening, alone or in combination with a test for the detection of the human papillomavirus (HPV).

DIGEST: HB 428 would require health benefit plans under Insurance Code sec. 1370.003 to include coverage for any other test or screening approved by the U.S. Food and Drug Administration for the detection of ovarian cancer in an annual medically recognized diagnostic examination.

The bill would take effect September 1, 2021, and would apply to a health benefit plan issued or renewed on or after January 1, 2022.

**SUPPORTERS  
SAY:**

HB 428 would improve prevention and early detection of ovarian cancer by ensuring that certain health insurance plans provided coverage for all federally approved tests for ovarian cancer as part of annual well-woman exams. Ovarian cancer has a high mortality rate, largely because the disease has vague symptoms that are not unique to ovarian cancer and that patients do not recognize until the disease is too advanced to treat effectively. Expanding ovarian cancer screening minimum health coverage would give more Texas women the best chance for early detection and effective treatment of this disease.

Currently, there are no other tests or screenings approved by the U.S. Food and Drug Administration (FDA) for the detection of ovarian cancer. This bill simply would establish a future requirement for health plans when an FDA-approved test or screening for ovarian cancer became available.

**CRITICS  
SAY:**

HB 428 inappropriately would create a state mandate by requiring health insurance companies to include an additional test in their plan's minimum health coverage. Such mandates increase health care costs for employers, especially small employers, and often increase premiums for consumers. The U.S. Preventive Services Task Force, a federal panel of experts, previously rejected this mandate as part of the Affordable Care Act's minimum essential health benefits coverage. The task force determined that the harms of screening for ovarian cancer, including potential surgical interventions in women who do not have cancer, outweighed the benefits.