

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 427
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Business & Commerce
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Committee Report (Substituted)

DIGEST AND PURPOSE

The type and extent of medical care that is necessary for any given patient is something that is determined by that patient's physician on a case-by-case basis. This should be the case for any and all patients, regardless of their underlying diagnoses. C.S.S.B. 427 prohibits an insurance carrier from using a diagnosis of autism or pervasive developmental disorder as justification for denying coverage of therapy to a patient.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Commission of Insurance in SECTION 1 (Article 21.53X, Insurance Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 21E, Insurance Code, by adding Article 21.53X, as follows:

Art. 21.53X. INDIVIDUAL OR GROUP HEALTH BENEFIT PLAN COVERAGE FOR ENROLLEE WITH AUTISM OR PERVASIVE DEVELOPMENTAL DISORDER

Sec. 1. DEFINITION. Defines "enrollee".

Sec. 2. APPLICABILITY OF ARTICLE. (a) Provides that this article applies only to a health benefit plan that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar coverage document that is offered by certain groups or companies.

(b) Provides that notwithstanding Section 172.014 (Application of Certain Laws), Local Government Code, or any other law, this article applies to health and accident coverage provided by a risk pool created under Chapter 172 (Texas Political Subdivisions Uniform Group Benefits Program), Local Government Code.

(c) Provides that this article does not apply to certain policies and plans.

Sec. 3. EXCLUSION OF COVERAGE AND DENIAL OF BENEFITS PROHIBITED. Prohibits a health benefit plan, in addition to providing any coverage required under Article 3.51-14 of this code, from excluding coverage or denying benefits for an enrollee for a particular treatment, equipment, or therapy based on the enrollee's having autism or a pervasive developmental disorder.

Sec. 4. RULES. Requires the commissioner to adopt rules as necessary to administer this article.

SECTION 2. Effective date: September 1, 2001.

Makes application of this Act prospective to January 1, 2002.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed S.B. 427 by amending the proposed heading to Article 21.53X, Insurance Code.

Amends As Filed S.B. 427 by amending the proposed heading and language in Sec. 3 of this bill.

Amends As Filed S.B. 427 by deleting proposed Sec. 4 and renumbering remaining sections.

SECTION 2. No change.