

BILL ANALYSIS

Senate Research Center

S.B. 563
By: Lucio
State Affairs
3/19/2003
As Filed

DIGEST AND PURPOSE

Currently, autism and pervasive developmental disorders are little understood and there is debate over their cause and potential cures. As proposed, S.B. 563 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 commissioner of insurance in SECTION 1 (Article 21.53X, Chapter 21E, 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 entities.

(b) Provides that 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 a plan that provides certain coverages.

Sec. 3. EXCLUSION OF COVERAGE AND DENIAL OF BENEFITS PROHIBITED. Prohibits the denial of coverage or benefits based on the enrollee's having autism or a pervasive developmental disorder.

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

SECTION 2. Effective date: September 1, 2003.

Makes application of this Act prospective to January 1, 2004.