

## **BILL ANALYSIS**

Senate Research Center  
79R5545 DLF-D

S.B. 1781  
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State Affairs  
4/4/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current law does not require health benefit plans to provide coverage for minor enrollees who suffer from self-inflicted injuries due to a suicide attempt or due to mental illness. According to studies, the majority of health insurance plans exclude expenses from injury or sickness resulting from attempted suicide or intentionally self-inflicted injury. There are an average of six deaths each day by suicide in Texas. In 2000, 2,093 people committed suicide in Texas. Of the suicides carried out, 90 percent are related to untreated or under-treated mental illness. Suicide is the third leading cause of death among 15-to-24-year-olds and suicide is increasing among children 10-to-14-years-old. In 2000, 33 children below the age of 14 committed suicide in Texas.

As proposed, S.B. 1781 prohibits insurance companies from excluding coverage of self-inflicted injuries of a minor that occur in a suicide attempt or as a result of a serious mental illness. The bill directs insurance coverage to be extended to a minor enrollee suffering from a self-inflicted injury whether or not the injury results in the death of the enrollee and regardless of the enrollee's mental health.

Additionally, the bill amends the Insurance Code to establish that a health benefit plan must provide coverage for an enrollee, from birth to the date the enrollee is 18 years of age, for a physical injury to the enrollee that is self-inflicted in an attempt to commit suicide or to an enrollee with a serious mental illness.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of insurance (commissioner) in SECTION 1 (Section 1372.006, Insurance Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle E, Title 8, Insurance Code, as effective April 1, 2005, by adding Chapter 1372, as follows:

#### **CHAPTER 1372. COVERAGE FOR CERTAIN SELF-INFLICTED PHYSICAL INJURIES BY MINORS**

Sec. 1372.001. DEFINITIONS. Defines "enrollee" and "serious mental illness."

Sec. 1372.002. APPLICABILITY OF CHAPTER. (a) Provides that this chapter 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 document that is offered by certain entities.

(b) Provides that this chapter applies to a group health coverage made available by a school district in accordance with Section 22.004, Education Code.

(c) Provides that this chapter applies, notwithstanding Section 172.014, Local Government Code, or any other law, to health and accident coverage provided by a risk pool created under Chapter 172, Local Government Code.

(d) Provides that this chapter applies, notwithstanding any provision in Chapter 1551 (Texas Employees Group Benefit Act), 1575 (Texas Public School Employees Group Benefit Act), 1579 (Texas School Employees Uniform Group Health Coverage), or 1601 (Uniform Insurance Benefits Act for Employees of The University of Texas System and the Texas A&M University System), or any other law, to: a basic coverage plan under Chapter 1551; a basic plan under Chapter 1575; a primary care coverage plan under Chapter 1579; and basic coverage under Chapter 1601.

(e) Requires, notwithstanding any other law, a standard health benefit plan provided under Chapter 1507 or Article 3.80 or 20A.09N to provide the coverage required by this chapter.

Sec. 1372.003. EXCEPTION. Sets forth the plans to which this chapter does not apply.

Sec. 1372.004. COVERAGE REQUIRED. Requires a health benefit plan to provide, regardless of whether a health benefit plan provides mental health coverage, coverage for an enrollee, from birth through the date the enrollee is 18 years of age, for a physical injury to the enrollee that is self-inflicted in an attempt to commit suicide or to an enrollee with a serious mental illness.

Sec. 1372.005. DEDUCTIBLE, COINSURANCE, AND COPAYMENT REQUIREMENTS. Prohibits the benefits required under the chapter to be made subject to a deductible, coinsurance, or copayment requirement that exceeds the deductible, coinsurance, or copayment requirements applicable to other physical injury benefits provided under the health benefit plan.

Sec. 1372.006. RULES. Requires the commissioner of insurance (commissioner) to adopt rules as necessary to administer this chapter.

SECTION 2. Makes application of this Act prospective to January 1, 2006.

SECTION 3. Effective date: September 1, 2005.