

1 AN ACT

2 relating to benefits payable under certain health coverages.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Subtitle E, Title 8, Insurance Code, is amended
5 by adding Chapter 1425 to read as follows:

6 CHAPTER 1425. APPLICATION OF SUBTITLE TO CERTAIN COVERAGE

7 Sec. 1425.001. EXEMPTION FROM APPLICATION OF SUBTITLE.

8 (a) Except as provided by Section 1425.002, a provision of this
9 subtitle that becomes effective on or after January 2, 2010, does
10 not apply to:

11 (1) a plan that provides coverage only:

12 (A) for a specified disease or diseases or under
13 an individual limited benefit policy;

14 (B) for accidental death or dismemberment;

15 (C) as a supplement to a liability insurance
16 policy; or

17 (D) for dental or vision care;

18 (2) disability income insurance coverage or a
19 combination of accident-only and disability income insurance
20 coverage;

21 (3) credit insurance coverage;

22 (4) a hospital confinement indemnity policy;

23 (5) a Medicare supplemental policy as defined by
24 Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

1 (6) a workers' compensation insurance policy;

2 (7) medical payment insurance coverage provided under
3 a motor vehicle insurance policy;

4 (8) a long-term care insurance policy, including a
5 nursing home fixed indemnity policy, except as provided by
6 Subsection (b); or

7 (9) an occupational accident policy.

8 (b) A long-term care insurance policy, including a nursing
9 home fixed indemnity policy, is subject to this subtitle if the
10 commissioner determines that the policy provides benefits so
11 comprehensive that it is a health benefit plan and should not be
12 subject to the exemption provided under this section.

13 Sec. 1425.002. SPECIFIC LANGUAGE CONTROLS. A provision of
14 this subtitle that becomes effective on or after January 2, 2010,
15 and that requires coverage or the offer of coverage of a health care
16 service or benefit applies to a plan or policy described by Section
17 1425.001(a) only to the extent expressly and specifically provided
18 by law.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2009.

S.B. No. 1479

Rand Newhust
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 1479 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1479 passed the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

27 MAY '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5 pm O'CLOCK

MAY 27 2009
Hope Radtke
Secretary of State