

1 AN ACT

2 relating to the creation of a program to educate the public on the  
3 value of health coverage and to increase public awareness of health  
4 coverage options.

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

6 SECTION 1. Subtitle B, Title 5, Insurance Code, as  
7 effective April 1, 2005, is amended by adding Chapter 524 to read as  
8 follows:

9 CHAPTER 524. HEALTH COVERAGE AWARENESS AND EDUCATION PROGRAM

10 Sec. 524.001. PROGRAM ESTABLISHED. (a) The department  
11 shall develop and implement a health coverage public awareness and  
12 education program that complies with this chapter. The program  
13 must:

14 (1) increase public awareness of health coverage  
15 options available in this state;

16 (2) educate the public on the value of health  
17 coverage; and

18 (3) provide information on health coverage options,  
19 including health savings accounts and compatible high deductible  
20 health benefit plans.

21 (b) The department may include information about specific  
22 health coverage issuers but may not favor or endorse one particular  
23 issuer over another.

24 Sec. 524.002. PUBLIC SERVICE ANNOUNCEMENTS. The department

1 shall develop and make public service announcements to educate  
2 consumers and employers about the availability of health coverage  
3 in this state.

4 Sec. 524.003. INTERNET WEBSITE; PUBLIC EDUCATION. (a) The  
5 department shall develop an Internet website designed to educate  
6 the public about the availability of health coverage in this state,  
7 including information about health savings accounts and compatible  
8 high deductible health benefit plans.

9 (b) The department shall provide other appropriate  
10 education to the public regarding the value of health coverage.

11 Sec. 524.004. TASK FORCE. (a) The commissioner shall  
12 appoint a task force to make recommendations regarding the health  
13 coverage public awareness and education program. The task force is  
14 composed of:

15 (1) one representative from each of the following  
16 groups or entities:

- 17 (A) health benefit coverage consumers;
- 18 (B) small employers;
- 19 (C) employers generally;
- 20 (D) insurance agents;
- 21 (E) the office of public insurance counsel;
- 22 (F) the Texas Health Insurance Risk Pool;
- 23 (G) physicians;
- 24 (H) advanced practice nurses;
- 25 (I) hospital trade associations; and
- 26 (J) medical units of institutions of higher  
27 education;

1           (2) a representative of the Health and Human Services  
2 Commission responsible for programs under Medicaid and the  
3 children's health insurance program; and

4           (3) one or more representatives of health benefit plan  
5 issuers.

6           (b) The department shall consult the task force regarding  
7 the content for the public service announcements, Internet website,  
8 and educational materials required by this chapter. The  
9 commissioner has authority to make final decisions as to what the  
10 program's materials will contain.

11           Sec. 524.005. FUNDING. The department may accept gifts and  
12 grants from any party, including a health benefit plan issuer or a  
13 foundation associated with a health benefit plan issuer, to assist  
14 with funding the program. The department shall adopt rules  
15 governing acceptance of donations that are consistent with Chapter  
16 575, Government Code. Before adopting rules under this subsection,  
17 the department shall:

18           (1) submit the proposed rules to the Texas Ethics  
19 Commission for review; and

20           (2) consider the commission's recommendations  
21 regarding the regulations.

22           SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2005.

Raid Newburn

President of the Senate

Jim Credlin

Speaker of the House

I hereby certify that S.B. No. 261 passed the Senate on March 31, 2005, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Ratsy Gau  
Secretary of the Senate

I hereby certify that S.B. No. 261 passed the House, with amendment, on May 20, 2005, by the following vote: Yeas 139, Nays 0, two present not voting.

Robert Harey  
Chief Clerk of the House

Approved:

17 JUNE '05  
Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:20 AM O'CLOCK

Roger Williams  
Secretary of State