

## **BILL ANALYSIS**

Senate Research Center  
88R1293 MEW-D

H.B. 916  
By: Ordaz et al. (Paxton)  
Health & Human Services  
5/5/2023  
Engrossed

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

Currently, health plans do not provide an option for women to receive more than a three-month supply of birth control. Many women struggle to maintain consistent contraceptive use when they are forced to return to the pharmacy, especially in rural areas, and some cannot afford the mail order costs to receive their next supply, which may lead to an unplanned pregnancy.

This bill does not change coverage requirements for health plans, but allows women who already have a prescription for birth control to obtain up to a 12-month supply.

H.B. 916 amends current law relating to health benefit plan coverage of prescription contraceptive drugs.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1369.102, Insurance Code, as follows:

Sec. 1369.102. APPLICABILITY OF SUBCHAPTER. Creates an exception under Subchapter C (Coverage of Prescription Contraceptive Drugs and Devices and Related Services).

SECTION 2. Amends Subchapter C, Chapter 1369, Insurance Code, by adding Section 1369.1031, as follows:

Sec. 1369.1031. CERTAIN COVERAGE REQUIRED. (a) Provides that this section applies to a health benefit plan described by Section 1369.102.

(b) Provides that this section, notwithstanding any other law, applies to:

- (1) a standard health benefit plan issued under Chapter 1507 (Consumer Choice of Benefits Plans);
- (2) a basic coverage plan under Chapter 1551 (Texas Employees Group Benefits Act);
- (3) a basic plan under Chapter 1575 (Texas Public School Employees Group Benefits Program);
- (4) a primary care coverage plan under Chapter 1579 (Texas School Employees Uniform Group Health Coverage);
- (5) a plan providing basic coverage under Chapter 1601 (Uniform Insurance Benefits Act for Employees of The University of Texas System and the Texas A&M University System);

(6) group health coverage made available by a school district in accordance with Section 22.004 (Group Health Benefits for School Employees), Education Code;

(7) the state Medicaid program, including the Medicaid managed care program operated under Chapter 533 (Medicaid Managed Care Program), Government Code; and

(8) the child health plan program under Chapter 62 (Child Health Plan for Certain Low-Income Children), Health and Safety Code.

(c) Requires that a health benefit plan that provides benefits for a prescription contraceptive drug provide for an enrollee to obtain up to:

(1) a three-month supply of the covered prescription contraceptive drug at one time the first time the enrollee obtains the drug; and

(2) a 12-month supply of the covered prescription contraceptive drug at one time each subsequent time the enrollee obtains the same drug, regardless of whether the enrollee was enrolled in the health benefit plan the first time the enrollee obtained the drug.

(d) Authorizes an enrollee to obtain only one 12-month supply of a covered prescription contraceptive drug during each 12-month period.

SECTION 3. Makes application of the changes in law made by this Act prospective to January 1, 2024.

SECTION 4. Effective date: September 1, 2023.