

## **BILL ANALYSIS**

H.B. 3128  
By: Smithee  
Insurance  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that unlike traditional health insurance, long-term care insurance is designed to provide a policyholder with coverage for support services, such as custodial care, and the parties contend that certain rule requirements unnecessarily restrict a company's ability to accurately determine premium rates and adequately price policies. H.B. 3128 seeks to ensure that the commissioner of insurance has sufficient flexibility to adopt relevant rules.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3128 repeals Section 1651.055(b), Insurance Code, which requires the commissioner of insurance to adopt rules that are consistent with nationally recognized models relating to the stabilization of long-term care premium rates that existed on January 1, 2001, authorizes the commissioner to adopt rules consistent with any of those models as they are amended after January 1, 2001, and requires the commissioner to adopt such rules that, to the extent possible, contribute to the uniformity of state laws and that protect consumers.

### **EFFECTIVE DATE**

September 1, 2017.