

- SUBJECT:** Prohibiting life insurance denial based on possessing an opioid antagonist
- COMMITTEE:** Insurance — favorable, without amendment
- VOTE:** 6 ayes — Lucio, S. Davis, Julie Johnson, Lambert, C. Turner, Vo
0 nays
3 absent — Oliverson, G. Bonnen, Paul
- SENATE VOTE:** On final passage, April 26 — 29-1 (Fallon), on Local and Uncontested Calendar
- WITNESSES:** For — Jay Thompson, TALHI, Prudential; (*Registered, but did not testify:* Natalie Gregory, Protect Texas Fragile Kids)
Against — None
On — (*Registered, but did not testify:* Doug Danzeiser, Texas Department of Insurance)
- BACKGROUND:** Some have suggested that when life insurers consider the use of prescription drugs when reviewing applicants, it can be difficult to differentiate between someone with a prescription for an opioid antagonist who is at risk of an overdose and someone with a prescription to administer to another person, resulting in some individuals being denied coverage based on their possession of such medication.
- DIGEST:** SB 437 would prohibit a life insurance company from denying coverage to an individual based solely on whether the individual had been prescribed or had obtained through a standing order an opioid antagonist. A life insurance company also could not:
- limit the amount, extent, or kind of coverage available to the individual; or
 - charge the individual or a group to which the individual belonged

a rate that was different from the rate charged to others for the same coverage, unless the charge was based on sound underwriting or actuarial principles reasonably related to actual or anticipated loss experience for a particular risk.

The bill would define "opioid antagonist" as any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors to reverse the effects of an opioid overdose.

The bill would apply to a life insurance policy issued or delivered in Texas or issued by a life insurance company organized in Texas.

The bill would take effect September 1, 2019.