

BILL ANALYSIS

Senate Research Center

S.B. 333
By: Harris
Jurisprudence
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As Filed

DIGEST

Currently, Texas law permits the managing conservator of a parent to receive payments on behalf of a child from an insurer or group hospital plan, even if the group accident or sickness insurance policy is actually in the name of the possessory conservator. Texas law does not allow the possessory conservator to seek reimbursement directly from an insurer if the insurance is actually carried by the managing conservator. Thus, a possessory conservator must ask the managing conservator to submit the reimbursement. This leads to many situations in which the possessory conservator is never reimbursed. This bill allows the possessory conservator to seek reimbursement directly from the managing conservator's insurer or group hospital plan.

PURPOSE

As proposed, S.B. 333 authorizes a possessory conservator of a child to seek reimbursement directly from the managing conservator's insurer or group hospital plan.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections (1)-(3), Article 3.15-13, Insurance Code, as follows:

Sec. 1. Authorizes companies which provide group accident and sickness insurance policies in this state and which provide coverage for a minor child, to pay benefits on behalf of the child to a person who is not a member of the group if a court order providing for the appointment of a possessory or managing conservator has been issued.

Sec. 2. Prohibits any requirements imposed on a possessory or managing conservator of the child to apply in the case of any unpaid medical bills for which a valid assignment of benefits has been exercised in accordance with policy provisions, or to other certain claims submitted.

Sec. 3. Makes conforming changes.

SECTION 2. Effective date: September 1, 1997.

Makes application of this Act prospective to January 1, 1998.

SECTION 3. Emergency clause.