

## **BILL ANALYSIS**

Senate Research Center  
79R8552 KCR-D

S.B. 1448  
By: Averitt  
State Affairs  
4/5/2005  
As Filed

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

A state insurance program was created for public school employees in 2001, but not all public schools participate in the program. While the commissioner of education held in a formal ruling that school districts that do not participate in the state plan must make at least one health plan available that provides portability of coverage, it is not clear that all health plans provided by school districts must provide portability of coverage. As proposed, S.B. 1448 ensures universal portability of coverage for all public school employees, an objective that was initiated with the establishment of the state plan in 2001.

### **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 22.004, Education Code, by adding Subsection (m), as follows:

(m) Provides that, notwithstanding any other law, group health benefit coverage provided by or offered through a school district to district employees under any law other than Subsection (a) (pertaining to a district participating in a uniform group coverage program) is subject to the requirements of Sections 1501.102-1501.105 (Definitions; Applicability: Small Employer Health Benefit Plans; Applicability: Large Employer Health Benefit Plans; Exception: Certain Individually Underwritten Policies) Insurance Code. Provides that this section (Group Health Benefits for School Employees) applies to all group health benefit coverage provided by or offered through a district to district employees, including certain plans and coverage.

SECTION 2. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 3. Effective date: September 1, 2005.