



Texas Association of Health Plans
1001 Congress Ave., Suite 300
Austin, Texas 78701
P: 512.476.2091
www.tahp.org

April 12, 2023

Dear Chairman Oliverson & Members of the House Insurance Committee,

Re: Oppose HB 1452

As the statewide trade association representing health insurers, HMOs, Medicaid managed care, and other health plans that serve over 20 million Texans, the Texas Association of Health Plans (TAHP) is committed to ensuring that Texas families and employers have access to affordable, comprehensive, and high-quality coverage. One threat to this affordability is the growing number of mandates that are considered and passed by the Texas Legislature.

We oppose this new mandate on health insurance coverage. Covering funeral, burial, or cremation expenses has never been the role of health insurance, and doing so would increase health insurance costs for Texas employers. Insurance activities of Texas health plans are limited by their licenses, issued by the Department of Insurance, to the lines of business for which they are licensed. HMOs are authorized only to provide benefits for the cost of “health care services,” defined in the Insurance Code as “services provided to an individual to prevent, alleviate, cure, or heal human illness or injury.” The burial of fetal remains is simply not a health care service and is therefore not an appropriate role for insurance providers.

We suggest the committee explore life insurance coverage as a more appropriate avenue for this mandate. In 2014, the Veterans Administration amended their life insurance policy to include stillborns for dependent child coverage. While the VA took this significant step forward updating their policy, most life insurance companies only cover children who are between 14 days and 18 years old. According to a [report in Vox](#), State Farm policies only begin once a child reaches 15 days old.

Further, SB 8 from the 85th Legislature added Chapter 697 to the Texas Health and Safety Code to create the Burial or Cremation Assistance Registry. As stated on the state’s website: “The registry consists of participating funeral homes and cemeteries willing to provide free common burial or low-cost private burial and private nonprofit organizations registered to provide financial assistance for the costs associated with burial or cremation of embryonic and fetal tissue remains. Registry information is available on request to a physician, health care facility, or authorized agent of a physician or health care facility.”



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The State also created the [Ethical Fetal Remains Grant Program](#), which can be “used by a health care facility requesting reimbursement for the costs associated with disposition of embryonic and fetal tissue remains under the Texas Health and Safety Code, Chapter 697.”

We believe that life insurance policies and state programs created by SB 8, which are not means tested, provide a more appropriate avenue for financial assistance to families. Texas should consider additional investment in state programs if they are not meeting the needs of Texas families.

Sincerely,

M. Blake Hutson

Blake Hutson
Texas Association of Health Plans