

1-1 By: Springer S.B. No. 1341
 1-2 (In the Senate - Filed March 10, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 April 20, 2021, reported favorably by the following vote: Yeas 5,
 1-5 Nays 3; April 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | | X | | |
| 1-11 | | | X | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | | X | | |
| 1-15 | | X | | |
| 1-16 | X | | | |

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to eligibility for certain benefits provided under public
 1-20 assistance programs.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter C, Chapter 531, Government Code, is
 1-23 amended by adding Section 531.1081 to read as follows:

1-24 Sec. 531.1081. INTEGRITY OF CERTAIN PUBLIC ASSISTANCE
 1-25 PROGRAMS. (a) In this section:

1-26 (1) "Financial assistance benefits" means money
 1-27 payments under the federal Temporary Assistance for Needy Families
 1-28 program operated under Chapter 31, Human Resources Code, or under
 1-29 the state temporary assistance and support services program
 1-30 operated under Chapter 34, Human Resources Code.

1-31 (2) "Supplemental nutrition assistance benefits"
 1-32 means money payments under the supplemental nutrition assistance
 1-33 program operated under Chapter 33, Human Resources Code.

1-34 (b) To the extent not otherwise provided by this subtitle or
 1-35 Title 2, Human Resources Code, the commission shall develop and
 1-36 implement, in accordance with this section, methods for reducing
 1-37 abuse, fraud, and waste in public assistance programs.

1-38 (c) On a monthly basis, the commission shall:

1-39 (1) conduct electronic data matches with the Texas
 1-40 Lottery Commission to determine if a recipient of supplemental
 1-41 nutrition assistance benefits or a recipient's household member
 1-42 received reportable lottery winnings;

1-43 (2) use the database system developed under Section
 1-44 531.0214 to match vital statistics unit death records with a list of
 1-45 individuals eligible for financial assistance or supplemental
 1-46 nutrition assistance benefits, and ensure that any individual
 1-47 receiving assistance under either program who is discovered
 1-48 deceased has their eligibility for assistance promptly terminated;
 1-49 and

1-50 (3) review the out-of-state electronic benefit
 1-51 transfer card transactions made by a recipient of supplemental
 1-52 nutrition assistance benefits to determine whether those
 1-53 transactions indicate a possible change in the recipient's
 1-54 residence.

1-55 (d) The commission shall immediately review the eligibility
 1-56 of a recipient of public assistance benefits if the commission
 1-57 discovers information under this section that affects the
 1-58 recipient's eligibility.

1-59 (e) A recipient who fails to disclose lottery winnings that
 1-60 are required to be reported to the commission under a public
 1-61 assistance program presumptively commits a program violation.

2-1 (f) The executive commissioner shall adopt rules necessary
2-2 to implement this section.

2-3 SECTION 2. Section 531.110, Government Code, is amended by
2-4 amending Subsections (a), (b), and (e) and adding Subsections (a-1)
2-5 and (c-1) to read as follows:

2-6 (a) In this section, "public assistance program" includes:

2-7 (1) Medicaid;

2-8 (2) the financial assistance program under Chapter 31,
2-9 Human Resources Code; and

2-10 (3) a nutritional assistance program under Chapter 33,
2-11 Human Resources Code, including the supplemental nutrition
2-12 assistance program under that chapter.

2-13 (a-1) The commission shall conduct electronic data matches
2-14 for a [Medicaid] recipient of benefits under a public assistance
2-15 program at least quarterly to verify the identity, income,
2-16 employment status, and other factors that affect the eligibility of
2-17 the recipient.

2-18 (b) To verify eligibility of a recipient of public
2-19 assistance program benefits [for Medicaid], the electronic data
2-20 matching must match information provided by the recipient with
2-21 information contained in databases maintained by appropriate
2-22 federal and state agencies.

2-23 (c-1) The commission shall enter into a memorandum of
2-24 understanding with each state agency from which data is required to
2-25 conduct electronic data matches under this section and Section
2-26 531.1081.

2-27 (e) The executive commissioner shall establish procedures
2-28 by which the commission, or a health and human services agency
2-29 designated by the commission, verifies the electronic data matches
2-30 conducted by the commission under this section. Not later than the
2-31 20th day after the date the electronic data match is verified, the
2-32 commission shall remove from eligibility a recipient who is
2-33 determined to be ineligible for a public assistance program
2-34 [Medicaid].

2-35 SECTION 3. Subchapter B, Chapter 32, Human Resources Code,
2-36 is amended by adding Section 32.026101 to read as follows:

2-37 Sec. 32.026101. DETERMINATION OF ELIGIBILITY BY HEALTH CARE
2-38 EXCHANGES PROHIBITED. (a) The commission may not accept Medicaid
2-39 eligibility determinations from an exchange established under 42
2-40 U.S.C. Section 18041(c).

2-41 (b) The commission may accept eligibility assessments from
2-42 an exchange, but the commission must determine the eligibility of
2-43 an individual for Medicaid.

2-44 SECTION 4. If before implementing any provision of this Act
2-45 a state agency determines that a waiver or authorization from a
2-46 federal agency is necessary for implementation of that provision,
2-47 the agency affected by the provision shall request the waiver or
2-48 authorization and may delay implementing that provision until the
2-49 waiver or authorization is granted.

2-50 SECTION 5. This Act takes effect September 1, 2021.

2-51

* * * * *