

AN ACT

relating to the content of an application for Medicaid.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 32.025, Human Resources Code, is amended by amending Subsection (g) and adding Subsection (h) to read as follows:

(g) The application form, including a renewal form, adopted under this section must include:

(1) for an applicant who is pregnant, a question regarding whether the pregnancy is the woman's first gestational pregnancy; ~~and~~

(2) for all applicants, a question regarding the applicant's preferences for being contacted by a managed care organization or health plan provider that provides the applicant with the option to be contacted~~, as follows:~~

~~["If you are determined eligible for benefits, your managed care organization or health plan provider may contact you]~~ by telephone, text message, or e-mail about health care matters, including reminders for appointments and information about immunizations or well check visits; and

(3) language that:

(A) notifies the applicant that, if determined eligible for benefits, all preferred contact methods listed on the application and renewal forms will be shared with the applicant's

1 managed care organization or health plan provider;

2 (B) allows the applicant to consent to being
3 contacted through the preferred contact methods by the applicant's
4 managed care organization or health plan provider; and

5 (C) explains the security risks of electronic
6 communication. [~~All preferred methods of contact listed on this~~
7 ~~application will be shared with your managed care organization or~~
8 ~~health plan provider. Please indicate below your preferred methods~~
9 ~~of contact in order of preference, with the number 1 being the most~~
10 ~~preferable method:~~

11 [~~(1) By telephone (if contacted by cellular telephone,~~
12 ~~the call may be autodialed or prerecorded, and your carrier's usage~~
13 ~~rates may apply)? Yes No~~

14 [Telephone number: _____

15 [Order of preference: 1 2 3 (circle a number)

16 [~~(2) By text message (a free autodialed service, but~~
17 ~~your carrier may charge message and data rates)? Yes No~~

18 [Cellular telephone number: _____

19 [Order of preference: 1 2 3 (circle a number)

20 [~~(3) By e-mail? Yes No~~

21 [E-mail address: _____

22 [Order of preference: 1 2 3 (circle a number)].]

23 (h) For purposes of Subsections (g)(2) and (3), the
24 commission shall implement a process to:

25 (1) transmit the applicant's preferred contact methods
26 and consent to the managed care organization or health plan
27 provider;

1 (2) allow an applicant to change the applicant's
2 preferences in the future, including providing for an option to opt
3 out of electronic communication; and

4 (3) communicate updated information to the managed
5 care organization or health plan provider.

6 SECTION 2. Not later than January 1, 2022, the executive
7 commissioner of the Health and Human Services Commission shall
8 adopt a revised application form for medical assistance benefits
9 that conforms to the requirements of Section 32.025(g), Human
10 Resources Code, as amended by this Act.

11 SECTION 3. If before implementing any provision of this Act
12 a state agency determines that a waiver or authorization from a
13 federal agency is necessary for implementation of that provision,
14 the agency affected by the provision shall request the waiver or
15 authorization and may delay implementing that provision until the
16 waiver or authorization is granted.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1911 passed the Senate on April 29, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 28, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1911 passed the House, with amendment, on May 13, 2021, by the following vote: Yeas 147, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor