

By: Howard

H.B. No. 2587

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for Medicaid for breast and cervical cancer.

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

SECTION 1. Section 32.024(y), Human Resources Code, is amended to read as follows:

(y) The commission shall provide medical assistance to a person in need of treatment for breast or cervical cancer who is eligible for that assistance under the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (Pub. L. No. 106-354) and who has a family income that is at or below 250 percent of the federal poverty level. The commission shall provide the assistance for a continuous period during which the person requires that treatment. The executive commissioner shall simplify the provider enrollment process for a provider of that medical assistance and shall adopt rules to provide for certification of presumptive eligibility of a person for that assistance. In determining a person's eligibility for medical assistance under this subsection, the executive commissioner, to the extent allowed by federal law, may not require a personal interview.

SECTION 2. Section 32.024(y), Human Resources Code, as amended by this Act, applies only to an initial determination or recertification of eligibility of a person for medical assistance for breast or cervical cancer under Section 32.024(y), Human

1 Resources Code, made on or after the date the section is
2 implemented, regardless of the date the person applied for that
3 assistance.

4 SECTION 3. If before implementing any provision of this Act
5 a state agency determines that a waiver or authorization from a
6 federal agency is necessary for implementation of that provision,
7 the agency affected by the provision shall request the waiver or
8 authorization and may delay implementing that provision until the
9 waiver or authorization is granted.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2023.