

By: Alvarado, et al.

S.B. No. 124

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the Medicaid eligibility of certain women during and
3 following a pregnancy.

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

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

7 (1-1) The commission shall continue to provide medical
8 assistance to a woman who is eligible for medical assistance for
9 pregnant women for a period of not less than 12 ~~[six]~~ months
10 following the last month of the woman's pregnancy. The commission
11 shall actively seek, apply for, accept, and spend any federal money
12 that is available to implement this subsection, including any
13 additional money received as a result of an increase in the federal
14 medical assistance percentage (FMAP) [date the woman delivers or
15 experiences an involuntary miscarriage].

16 SECTION 2. Subchapter B, Chapter 32, Human Resources Code,
17 is amended by adding Section 32.02472 to read as follows:

18 Sec. 32.02472. ELIGIBILITY OF CERTAIN PREGNANT WOMEN
19 LAWFULLY PRESENT IN THE UNITED STATES. To the extent allowed by
20 federal law, the commission shall provide medical assistance for
21 pregnant women to an individual who is pregnant and is lawfully
22 present in the United States, or lawfully residing in the United
23 States as defined by the Centers for Medicare and Medicaid
24 Services, including a battered alien under 8 U.S.C. Section

1 1641(c), regardless of the date the individual entered the United
2 States.

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

9 SECTION 4. This Act takes effect September 1, 2023.