

By: Lalani

H.B. No. 1539

A BILL TO BE ENTITLED

AN ACT

relating to seeking a waiver under Medicaid to provide a continuous period of eligibility under the program for certain children.

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

SECTION 1. Section 32.0261, Human Resources Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) This section does not apply to a child who is eligible for an extended period of continuous eligibility under Section 32.02612.

SECTION 2. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02612 to read as follows:

Sec. 32.02612. FEDERAL AUTHORIZATION TO PROVIDE EXTENDED PERIOD OF CONTINUOUS ELIGIBILITY FOR CERTAIN CHILDREN. (a) The executive commissioner shall seek a waiver under Section 1115, Social Security Act (42 U.S.C. Section 1315), to provide for a continuous period of eligibility for children who are:

(1) determined eligible for medical assistance under this chapter; and

(2) five years of age or younger.

(b) The waiver the executive commissioner seeks under this section must ensure that a child described by Subsection (a) remains continuously eligible for medical assistance, without additional review and regardless of changes in the child's resources or household income, from the date on which the child's

1 eligibility for medical assistance is determined until the child's
2 sixth birthday.

3 (c) Subject to approval of the waiver described by
4 Subsection (a), the executive commissioner shall adopt rules to
5 implement this section.

6 SECTION 3. As soon as practicable after the effective date
7 of this Act, the executive commissioner of the Health and Human
8 Services Commission shall apply for and actively pursue the waiver
9 from the Centers for Medicare and Medicaid Services or any other
10 federal agency required by Section 32.02612, Human Resources Code,
11 as added by this Act. The commission may delay implementing Section
12 32.02612, Human Resources Code, as added by this Act, until the
13 waiver applied for under this section is granted.

14 SECTION 4. This Act takes effect September 1, 2025.