

## **BILL ANALYSIS**

H.B. 3484

By: Delisi

State Health Care Expenditures, Select  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, there is no provision in state law for a Medicaid buy-in program. People with disabilities might be forced to choose between keeping needed health care coverage and giving it up in order to be employed. A work group can document the types of benefits employees with disabilities need, typical employer benefits offered, Medicaid benefits needed and the ability of workers with disabilities to pay a portion of health care premiums. As proposed, H.B. 3484 sets up a work group on health care options for certain persons with disabilities to study creating a Medicaid buy-in program in Texas. There is a Federal program which makes funds available for such a study without any state match required.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Chapter 531B, Government Code, by adding Section 531.02443, as follows:

Sec. 531.02443. WORK GROUP ON HEALTH CARE OPTIONS FOR CERTAIN PERSONS WITH DISABILITIES. (a) Provides that a work group is established to assist the Health and Human Services Commission (HHSC) in identifying, recommending, and developing policy options to improve access to health care coverage and services necessary to support increased employment of persons with disabilities in this state.

(b) Requires HHSC to determine the number of members of the work group. Provides that the work group is composed of representatives from certain state agencies and certain other persons.

(c) Requires the commissioner of health and human services (commissioner) to designate a member of the work group to serve as presiding officer. Requires the members of the work group to elect any other necessary officers.

(d) Requires the work group to meet at the call of the commissioner.

(e) Provides that a member of the work group serves at the will of the appointing official or entity.

(f) Prohibits a member of the work group from receiving compensation for serving on the work group but provides that the member is entitled to reimbursement for travel expenses incurred by the member while conducting the business of the work group as provided by the General Appropriations Act.

(g) Requires the work group to examine options for access to health care coverage and services for employed persons with disabilities in this state. Requires the work group, in

examining those options, to make certain determinations.

(h) Requires the work group, based on the determinations under Subsection (g), to develop a proposal for a Medicaid buy-in program for this state, including eligibility and premium or other cost-sharing policies.

(i) Requires the work group to report its determinations under Subsection (g) and the proposal required by Subsection (h) to HHSC. Requires HHSC, with the assistance of the work group, to compile the information and prepare a report regarding policy options to improve access to health care coverage and services necessary to support increased employment of persons with disabilities in this state. Requires HHSC by November 1, 2004 to submit the report to the legislature.

(j) Provides that this section expires September 1, 2005.

**SECTION 2.** Requires HHSC to use the federal grant awarded to HHSC in 2001 under the Ticket to Work and Work Incentives Improvement Act of 1999 (Pub. L. No. 106-170), as amended, to support the design, establishment, and operation of infrastructures in this state that provide support services for employed persons with disabilities. Requires HHSC to actively pursue the award of additional grants under that Act.

#### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members of each house, as provided by Section 39, Article III, Texas Constitution. If the Act does not receive the necessary vote for immediate effect, this Act takes effect September 1, 2003.