

BILL ANALYSIS

C.S.S.B. 1522
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Appropriations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, the Health and Human Services Commission is required to implement 12-month continuous eligibility in the children's Medicaid program by June 1, 2003. In response to the current budget shortfall, Committee Substitute Senate Bill 1522 delays this implementation by two years and also authorizes the use of personal interview and third party information in the determination of eligibility under certain circumstances.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Health and Human Services Commission in SECTIONS 2 (Section 32.025(e), Human Resources Code) and 3 (Section 32.026(e), Human Resources Code) of this bill. It is the committee's opinion that rulemaking authority expressly granted to the Health and Human Services Commission is modified in SECTION 1 (Section 10(c), Chapter 584, Acts of the 77th Legislature, Regular Session, 2001) of this bill.

ANALYSIS

Committee Substitute Senate Bill 1522 provides for an extension of the deadline by which the Health and Human Services Commission is required to adopt rules providing for 12-month continuous eligibility in accordance with certain sections of the Human Resources Code. The deadline is extended from June 1, 2003, to June 1, 2005.

Committee Substitute Senate Bill 1522 authorizes the department to require applications for medical assistance for children under 19 years of age to include a personal interview with a department representative if it is determined that such an interview is necessary to verify eligibility information that cannot be obtained in another manner. This substitute also authorizes the commission to develop procedures that require a personal interview under these circumstances.

Committee Substitute Senate Bill 1522 authorizes the department to require recertification reviews for children under 19 years of age to include a personal interview with a department representative if it is determined that such an interview is necessary to verify eligibility information that cannot be obtained in another manner. This substitute also authorizes the commission to develop procedures to determine when a personal interview is required under these circumstances and provides certain guidelines for the commission to follow in the development of these procedures. This substitute also authorizes the commission to use certain third-party information to verify an applicant's eligibility and need.

Committee Substitute Senate Bill 1522 provides that, in the event of a conflict between a provision of this Act and another Act passed by the 78th Legislature, Regular Session, 2003, that becomes law, this Act prevails and controls regardless of the relative dates of enactment.

Committee Substitute Senate Bill 1522 directs a state agency to request any waiver or authorization needed to enact any provisions of this Act and allows a state agency to delay implementation of those provisions

until the waiver or authorization is granted.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Committee Substitute Senate Bill 1522 modifies the original by making nonsubstantive and conforming changes in the sections pertaining to the requirement for a personal interview in an application for medical assistance or a recertification review for a child under 19 years of age.

Committee Substitute Senate Bill 1522 modifies the original by adding language to provide certain guidelines for the commission to follow in the development of procedures to determine the need for a personal interview in the recertification review of a child under 19 years of age.