

By: Delisi

H.B. No. 728

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the continuous eligibility of certain children for
3 medical assistance benefits.

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

5 SECTION 1. Section 10(c), Chapter 584, Acts of the 77th
6 Legislature, Regular Session, 2001, is amended to read as follows:

7 (c) The Health and Human Services Commission or the
8 appropriate state agency operating part of the medical assistance
9 program under Chapter 32, Human Resources Code, shall adopt rules
10 required by Section 32.0261, Human Resources Code, as added by this
11 Act, so that the rules take effect in accordance with that section
12 not earlier than September 1, 2005 [~~2002, or later than June 1,~~
13 ~~2003~~]. The rules must provide for a 12-month period of continuous
14 eligibility in accordance with that section for a child whose
15 initial or continued eligibility is determined on or after the
16 effective date of the rules.

17 SECTION 2. If before implementing any provision of this Act
18 a state agency determines that a waiver or authorization from a
19 federal agency is necessary for implementation of that provision,
20 the agency affected by the provision shall request the waiver or
21 authorization and may delay implementing that provision until the
22 waiver or authorization is granted.

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.