

1-1 By: Delisi (Senate Sponsor - Duncan) H.B. No. 728
1-2 (In the Senate - Received from the House April 14, 2003;
1-3 April 15, 2003, read first time and referred to Committee on Health
1-4 and Human Services; May 19, 2003, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 19, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the continuous eligibility of certain children for
1-9 medical assistance benefits.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 10(c), Chapter 584, Acts of the 77th
1-12 Legislature, Regular Session, 2001, is amended to read as follows:

1-13 (c) The Health and Human Services Commission or the
1-14 appropriate state agency operating part of the medical assistance
1-15 program under Chapter 32, Human Resources Code, shall adopt rules
1-16 required by Section 32.0261, Human Resources Code, as added by this
1-17 Act, so that the rules take effect in accordance with that section
1-18 not earlier than September 1, 2005 [~~2002, or later than June 1,~~
1-19 ~~2003~~]. The rules must provide for a 12-month period of continuous
1-20 eligibility in accordance with that section for a child whose
1-21 initial or continued eligibility is determined on or after the
1-22 effective date of the rules.

1-23 SECTION 2. If before implementing any provision of this Act
1-24 a state agency determines that a waiver or authorization from a
1-25 federal agency is necessary for implementation of that provision,
1-26 the agency affected by the provision shall request the waiver or
1-27 authorization and may delay implementing that provision until the
1-28 waiver or authorization is granted.

1-29 SECTION 3. This Act takes effect immediately if it receives
1-30 a vote of two-thirds of all the members elected to each house, as
1-31 provided by Section 39, Article III, Texas Constitution. If this
1-32 Act does not receive the vote necessary for immediate effect, this
1-33 Act takes effect September 1, 2003.

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