

By: Capelo

H.B. No. 1099

A BILL TO BE ENTITLED

AN ACT

relating to coverage provided to certain children under the state child health plan.

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

SECTION 1. Section 62.154(b), Health and Safety Code, is amended to read as follows:

(b) A child is not subject to a waiting period adopted under Subsection (a) if:

(1) the family lost coverage for the child as a result of:

(A) termination of employment because of a layoff or business closing;

(B) termination of continuation coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. No. 99-272);

(C) change in marital status of a parent of the child;

(D) termination of the child's Medicaid eligibility because:

(i) the child's family's earnings or resources increased; or

(ii) the child reached an age at which Medicaid coverage is not available; or

(E) a similar circumstance resulting in the

1 involuntary loss of coverage;

2 (2) the family terminated health benefits plan
3 coverage for the child because the cost to the child's family for
4 the coverage exceeded 10 percent of the family's net income; [~~or~~]

5 (3) the previous health benefits plan coverage for the
6 child was provided by a self-funded health benefit plan sponsored
7 by a municipality for the municipality's employees; or

8 (4) the commission has determined that other grounds
9 exist for a good cause exception.

10 SECTION 2. If before implementing any provision of this Act
11 a state agency determines that a waiver or authorization from a
12 federal agency is necessary for implementation of that provision,
13 the agency affected by the provision shall request the waiver or
14 authorization and may delay implementing that provision until the
15 waiver or authorization is granted.

16 SECTION 3. This Act takes effect September 1, 2003.