

By: Coleman

H.B. No. 2604

A BILL TO BE ENTITLED

AN ACT

1
2 relating to health benefits coverage for certain low-income parents
3 of children receiving Medicaid or enrolled in the state child
4 health plan.

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

6 SECTION 1. Subchapter B, Chapter 531, Government Code, is
7 amended by adding Section 531.02192 to read as follows:

8 Sec. 531.02192. HEALTH BENEFITS COVERAGE FOR CERTAIN
9 LOW-INCOME PARENTS. (a) The commission shall develop and
10 implement a statewide program in which health benefits coverage is
11 provided to an individual who:

12 (1) is the parent of a child receiving medical
13 assistance under the state Medicaid program or of a child enrolled
14 in the state child health plan program under Chapter 62, Health and
15 Safety Code;

16 (2) has a family income that is at or below 200 percent
17 of the federal poverty level; and

18 (3) is not covered by health insurance or another type
19 of health benefit plan other than a health benefit plan that is
20 administered by or on behalf of a local governmental entity.

21 (b) The commission shall ensure that the program is designed
22 and administered in a manner that qualifies for federal funding and
23 is financed using state money and money made available by local
24 governmental entities to the commission for federal matching

1 purposes. Local money described by this subsection includes tax or
2 other revenue spent to provide indigent health care services to
3 eligible individuals before they were eligible to receive health
4 benefits coverage under this section and any other resources made
5 available to the commission under this section for federal matching
6 purposes.

7 (c) In establishing the program, the commission shall:

8 (1) develop a health benefit plan to provide coverage
9 for health care services to eligible individuals that:

10 (A) requires plan coverage to be purchased using
11 a combination of local, federal, and state contributions;

12 (B) provides a benefits package that is similar
13 to the state child health plan program benefits; and

14 (C) to the extent possible eliminates coverage
15 for duplicative or extraordinary services; and

16 (2) not later than the 180th day before the date on
17 which the commission plans to begin to provide health coverage to
18 recipients through the program, appoint an advisory committee to
19 provide recommendations on the implementation and operation of the
20 program, including the development of the health benefit plan.

21 (d) The advisory committee described by Subsection (c)(2)
22 must be composed of representatives of:

23 (1) local governmental entities that make funds
24 available to the commission in accordance with this section;

25 (2) insurance companies and health maintenance
26 organizations eligible to offer health benefits coverage under the
27 health benefit plan; and

1 (3) consumer advocates.

2 (e) In developing the health benefit plan under Subsection
3 (c)(1), the commission must include provisions intended to
4 discourage:

5 (1) employers and other persons from electing to
6 discontinue offering coverage for individuals under employee or
7 other group health benefit plans; and

8 (2) individuals with access to adequate health benefit
9 plan coverage, other than coverage under the health benefit plan
10 developed under Subsection (c)(1), from electing not to obtain or
11 to discontinue that coverage.

12 (f) At the request of the commission, the Texas Department
13 of Insurance shall provide any necessary assistance with the
14 development of the health benefit plan under Subsection (c)(1).

15 (g) The commission shall:

16 (1) adopt an application form and application
17 procedures for requesting health benefit plan coverage under this
18 section;

19 (2) develop eligibility determination and enrollment
20 procedures for the program; and

21 (3) select the health benefit plan providers under the
22 program through a competitive procurement process.

23 (h) The commission shall adopt rules as necessary to
24 implement this section.

25 SECTION 2. Not later than September 1, 2003, the Health and
26 Human Services Commission shall request and actively pursue any
27 necessary waivers from a federal agency or any other appropriate

1 entity to enable the commission to implement the program
2 established under Section 531.02192, Government Code, as added by
3 this Act. The commission may delay implementing the program
4 described by that section until the necessary waivers or
5 authorizations are granted.

6 SECTION 3. The Health and Human Services Commission is not
7 required to implement Section 531.02192, Government Code, as added
8 by this Act, unless a specific appropriation for the implementation
9 is provided in the General Appropriations Act, Acts of the 78th
10 Legislature, Regular Session, 2003.

11 SECTION 4. This Act takes effect September 1, 2003.