

By: Hinojosa

S.B. No. 44

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to temporary eligibility requirements for and  
3 administration of the child health plan program.

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

5 SECTION 1. CHILD HEALTH PLAN PROGRAM INCOME ELIGIBILITY.

6 (a) In this section, "net family income" means the amount of income  
7 established for a family after reduction for offsets for expenses  
8 such as child care and work-related expenses, in accordance with  
9 standards applicable under the Medicaid program.

10 (b) Notwithstanding Sections 62.101(a)(4) and (b), Health  
11 and Safety Code, the Health and Human Services Commission shall  
12 establish income eligibility levels for the child health plan  
13 program consistent with Title XXI, Social Security Act (42 U.S.C.  
14 Section 1397aa et seq.), as amended, and any other applicable law or  
15 regulations, and subject to the availability of appropriated money,  
16 so that a child who is younger than 19 years of age and whose net  
17 family income is at or below 200 percent of the federal poverty  
18 level is eligible for health benefits coverage under the program.  
19 The commission may not use eligibility standards regarding the  
20 amount or types of allowable assets for a family.

21 SECTION 2. COMMUNITY OUTREACH CAMPAIGN; TOLL-FREE HOTLINE.

22 (a) The Health and Human Services Commission shall conduct a  
23 community outreach and education campaign to provide information  
24 relating to the availability of health benefits for children under

1 the child health plan program. The commission shall conduct the  
2 campaign in a manner that promotes enrollment in, and minimizes  
3 duplication of effort among, all state-administered child health  
4 programs.

5 (b) The community outreach campaign must include:

6 (1) outreach efforts that involve school-based health  
7 clinics; and

8 (2) a toll-free telephone number through which  
9 families may obtain information about health benefits coverage for  
10 children.

11 (c) The Health and Human Services Commission shall contract  
12 with community-based organizations or coalitions of  
13 community-based organizations to implement the community outreach  
14 campaign and shall also promote and encourage voluntary efforts to  
15 implement the community outreach campaign. The commission shall  
16 procure the contracts through a process designed by the commission  
17 to encourage broad participation of organizations, including  
18 organizations that target population groups with high levels of  
19 uninsured children.

20 (d) The Health and Human Services Commission may direct that  
21 the Department of State Health Services perform all or part of the  
22 community outreach campaign.

23 SECTION 3. CONTINUOUS COVERAGE. Notwithstanding Section  
24 62.102, Health and Safety Code, an individual who is determined to  
25 be eligible for coverage under the child health plan program  
26 remains eligible for those benefits until the earlier of:

27 (1) the end of a period, not to exceed 12 months,

1 following the date of the eligibility determination; or

2 (2) the individual's 19th birthday.

3 SECTION 4. WAITING PERIOD. Notwithstanding Section  
4 62.154(d), Health and Safety Code, the waiting period required by  
5 Section 62.154, Health and Safety Code, must:

6 (1) extend for a period of 90 days after the last date  
7 on which the applicant was covered under a health benefits plan; and

8 (2) apply to a child who was covered by a health  
9 benefits plan at any time during the 90 days before the date of  
10 application for coverage under the child health plan.

11 SECTION 5. EFFECTIVE DATE. This Act takes effect  
12 immediately if it receives a vote of two-thirds of all the members  
13 elected to each house, as provided by Section 39, Article III, Texas  
14 Constitution. If this Act does not receive the vote necessary for  
15 immediate effect, this Act takes effect on the 91st day after the  
16 last day of the legislative session.

17 SECTION 6. EXPIRATION. This Act expires August 31, 2009.