

BILL ANALYSIS

C.S.H.B. 1135
By: Delisi
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, there is no provision in state law for a Medicaid buy-in program. People with disabilities might be forced to choose between keeping needed health care coverage and giving it up in order to be employed. C.S.H.B. 1135 establishes a Medicaid buy-in program in Texas.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1135 amends Chapter 531 of the Government Code by adding Section 531.02444 on a Medicaid buy-in program for certain people with disabilities. The executive commissioner of Health and Human Services is required to develop and implement a Medicaid buy-in program for people with disabilities who are authorized by the Ticket to Work and Work Incentives Improvement Act or the Balanced Budget Act. The executive commissioner is required to adopt rules in accordance with federal law that provide for eligibility requirements for the program and requirements for participants to pay premiums or cost-sharing payments. The executive commissioner is required to do this by December 1, 2005, and to consider the proposal for the program that was submitted to the Health and Human Services Commission by the work group on health care options for people with disabilities. If before implementing any part of this act a state agency determines that a waiver or authorization is needed from a federal agency for implementation, the state agency is required to request the waiver and is authorized to delay implantation of the provision in question until the waiver is granted.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1135 modifies the original by adding Section 3, which allows state agencies to delay implementation of a provision of the act if it determines that a waiver is needed from a federal agency to implement the provision.