

## **BILL ANALYSIS**

Senate Research Center  
79R5308 KLA-D

S.B. 566  
By: Deuell  
Health & Human Services  
3/30/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

H.B. 3484, enacted by the 78th Legislature, Regular Session, 2003, authorized the Texas Department of Health to study the establishment of a Medicaid buy-in program in Texas. This program allows persons with disabilities to take employment without losing their Medicaid benefits upon which they rely. The study on this program has been completed by the Texas Department of Health, now the Department of State Health Services, and is ready for implementation.

As proposed, S.B. 566 requires that the Medicaid buy-in program be implemented.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Sec.531.02444, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.02444, as follows:

Sec. 531.02444. MEDICAID BUY-IN PROGRAM FOR CERTAIN PERSONS WITH DISABILITIES. (a) Requires the executive commissioner (executive commissioner) of the Health and Human Services Commission (HHSC) to develop and implement a Medicaid buy-in program for persons with disabilities as authorized by the Ticket to Work and Work Incentives Improvement Act of 1999 (Pub. L. No. 106-170) or the Balanced Budget Act of 1997 (Pub. L. No. 105-33).

(b) Requires the executive commissioner to adopt rules in accordance with federal law that provides for eligibility requirements and cost-sharing or premium payment requirements.

SECTION 2. Provides that no later than December 1, 2005, the executive commissioner of HHSC is required to develop and implement the Medicaid buy-in program under Section 531.02444, Government Code, as added by this Act. Requires the executive commissioner, in developing the program, to consider the proposal for the program developed and submitted to HHSC by the work group on health care options for certain persons with disabilities under Section 531.02443 (Work Group on Health Care Options for Certain Persons with Disabilities), Government Code.

SECTION 3. Effective date: September 1, 2005.