

By: Pena

H.B. No. 725

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to restoring services under the Medicaid and children's  
3 health insurance programs; making an appropriation.

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

5 SECTION 1. For the fiscal biennium beginning September 1,  
6 2005, the Health and Human Services Commission is appropriated from  
7 the general revenue fund the amount needed to provide services  
8 under the Medicaid and children's health insurance programs in a  
9 manner comparable to the manner in which these services were  
10 provided under the Medicaid and children's health insurance  
11 programs during the fiscal biennium ending August 31, 2003.

12 SECTION 2. Section 62.151(b), Health and Safety Code, is  
13 amended to read as follows:

14 (b) In developing the covered benefits, the commission  
15 shall consider the health care needs of healthy children and  
16 children with special health care needs. The child health plan must  
17 provide at least the covered benefits and eligibility described by  
18 the recommended benefits package described for a state-designed  
19 child health plan by the Texas House of Representatives Committee  
20 on Public Health "CHIP" Interim Report to the Seventy-Sixth Texas  
21 Legislature dated December 1998 and the Senate Interim Committee on  
22 Children's Health Insurance Report to the Seventy-Sixth Texas  
23 Legislature dated December 1, 1998. The child health plan must  
24 include at least the covered benefits and eligibility provided

1 under the plan on June 1, 2003.

2 SECTION 3. Section 32.024, Human Resources Code, is amended  
3 by amending Subsection (w) and adding Subsection (bb) to read as  
4 follows:

5 (w) The department shall set a personal needs allowance of  
6 not less than \$60 [~~\$45~~] a month for a resident of a convalescent or  
7 nursing home or related institution licensed under Chapter 242,  
8 Health and Safety Code, personal care facility, ICF-MR facility, or  
9 other similar long-term care facility who receives medical  
10 assistance. The department may send the personal needs allowance  
11 directly to a resident who receives Supplemental Security Income  
12 (SSI) (42 U.S.C. Section 1381 et seq.). This subsection does not  
13 apply to a resident who is participating in a medical assistance  
14 waiver program administered by the department.

15 (bb) The department shall ensure that each of the following  
16 programs and services under the medical assistance program is  
17 provided at or above the level for which the program or service was  
18 funded during the fiscal biennium ending August 31, 2003:

- 19 (1) community care programs;  
20 (2) services for pregnant women; and  
21 (3) optional services for adult recipients, including  
22 mental health services, podiatric services, eyeglasses, and  
23 hearing aids.

24 SECTION 4. This Act takes effect September 1, 2005.