

By: Delisi, Naishtat, Luna, Guillen, et al.

H.B. No. 1135

Substitute the following for H.B. No. 1135:

By: Solis

C.S.H.B. No. 1135

A BILL TO BE ENTITLED

AN ACT

relating to a Medicaid buy-in program for employed persons with disabilities.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.02444 to read as follows:

Sec. 531.02444. MEDICAID BUY-IN PROGRAM FOR CERTAIN PERSONS WITH DISABILITIES. (a) The executive commissioner shall 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) The executive commissioner shall adopt rules in accordance with federal law that provide for:

(1) eligibility requirements for the program; and

(2) requirements for participants in the program to pay premiums or cost-sharing payments.

SECTION 2. Not later than December 1, 2005, the executive commissioner of the Health and Human Services Commission shall develop and implement the Medicaid buy-in program under Section 531.02444, Government Code, as added by this Act. In developing the program, the executive commissioner shall consider the proposal for the program developed and submitted to the Health and Human Services Commission by the work group on health care options for

1 certain persons with disabilities under Section 531.02443,
2 Government Code.

3 SECTION 3. If before implementing any provision of this Act
4 a state agency determines that a waiver or authorization from a
5 federal agency is necessary for implementation of that provision,
6 the agency affected by the provision shall request the waiver or
7 authorization and may delay implementing that provision until the
8 waiver or authorization is granted.

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