

By: Herrero

H.B. No. 3440

A BILL TO BE ENTITLED

AN ACT

relating to the Medicaid Estate Recovery Program (MERP) Claim.

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

SECTION 1. Title 1, Part 15, Chapter 373, Subchapter B, §373.205(b), Texas Administrative Code, is amended to read as follows:

(b) A Medicaid Estate Recovery (MERP) claim will be filed no sooner than 100 [~~within 70~~] days after MERP has actual notice of the death of a Medicaid recipient aged 55 years or older who received covered long-term care services.

SECTION 2. EFFECTIVE DATE. This act takes effect July 1, 2005, if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for effect on that date, this Act takes effect September 1, 2005.