

By: Shapleigh

S.B. No. 98

A BILL TO BE ENTITLED

AN ACT

relating to determining and reporting the health insurance status of children attending public schools.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.018 to read as follows:

Sec. 38.018. DETERMINATION OF HEALTH INSURANCE STATUS. (a) In this section, "parent" includes a person standing in parental relation.

(b) As part of a child's enrollment in school each school year, a school district shall request that a child's parent, on a voluntary basis, indicate on the enrollment form whether the child is covered by private health insurance, Medicaid, or the state child health plan program established by Chapter 62, Health and Safety Code, or is not covered by health insurance.

(c) A parent is not required to provide the health insurance status information described by Subsection (b) as a condition of enrollment, and the enrollment form must clearly indicate that a parent may elect to provide or withhold the information.

(d) If a parent indicates that a child is not covered by health insurance, the school district shall provide the parent with general written information obtained from the Health and Human Services Commission regarding the availability of Medicaid and the state child health plan program.

1       (e) To facilitate the determination of the health insurance  
2 status of children in this state, a school district shall report  
3 health insurance status information obtained under Subsection (b)  
4 annually to the agency through the Public Education Information  
5 Management System (PEIMS). The commissioner by rule shall  
6 determine the form and type of information to be included in a  
7 report under this subsection. The rule must provide for protecting  
8 the identity of each child whose information is reported.

9       SECTION 2. This Act applies beginning with the 2005-2006  
10 school year.

11       SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2005.