

1-1 By: Shapleigh, Van de Putte S.B. No. 98
1-2 (In the Senate - Filed November 17, 2004; January 31, 2005,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 29, 2005, reported favorably, as amended, by the
1-5 following vote: Yeas 9, Nays 0; March 29, 2005, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Lindsay

1-7 Amend S.B. No. 98, on page 1, line 1-22, after "Medicaid," by
1-8 inserting the words "clinic-based care,".

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to determining and reporting the health insurance status
1-12 of children attending public schools.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter A, Chapter 38, Education Code, is
1-15 amended by adding Section 38.018 to read as follows:

1-16 Sec. 38.018. DETERMINATION OF HEALTH INSURANCE STATUS.

1-17 (a) In this section, "parent" includes a person standing in
1-18 parental relation.

1-19 (b) As part of a child's enrollment in school each school
1-20 year, a school district shall request that a child's parent, on a
1-21 voluntary basis, indicate on the enrollment form whether the child
1-22 is covered by private health insurance, Medicaid, or the state
1-23 child health plan program established by Chapter 62, Health and
1-24 Safety Code, or is not covered by health insurance.

1-25 (c) A parent is not required to provide the health insurance
1-26 status information described by Subsection (b) as a condition of
1-27 enrollment, and the enrollment form must clearly indicate that a
1-28 parent may elect to provide or withhold the information.

1-29 (d) If a parent indicates that a child is not covered by
1-30 health insurance, the school district shall provide the parent with
1-31 general written information obtained from the Health and Human
1-32 Services Commission regarding the availability of Medicaid and the
1-33 state child health plan program.

1-34 (e) To facilitate the determination of the health insurance
1-35 status of children in this state, a school district shall report
1-36 health insurance status information obtained under Subsection (b)
1-37 annually to the agency through the Public Education Information
1-38 Management System (PEIMS). The commissioner by rule shall
1-39 determine the form and type of information to be included in a
1-40 report under this subsection. The rule must provide for protecting
1-41 the identity of each child whose information is reported.

1-42 SECTION 2. This Act applies beginning with the 2005-2006
1-43 school year.

1-44 SECTION 3. This Act takes effect immediately if it receives
1-45 a vote of two-thirds of all the members elected to each house, as
1-46 provided by Section 39, Article III, Texas Constitution. If this
1-47 Act does not receive the vote necessary for immediate effect, this
1-48 Act takes effect September 1, 2005.

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