

By: Janek

S.B. No. 1819

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the period of continuous eligibility for the medical
3 assistance and children's health insurance programs.

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

5 SECTION 1. Section 62.102(b), Health and Safety Code, is
6 amended to read as follows:

7 (b) The period of continuous eligibility may be established
8 at an interval of 6 months beginning immediately upon passage of
9 this Act and ending September 1, 2007 [~~2005~~], at which time an
10 interval of 12 months of continuous eligibility will be
11 re-established.

12 SECTION 2. Section 10(c), Chapter 584, Acts of the 77th
13 Legislature, Regular Session, 2001, as amended by Section 2.101,
14 Chapter 198, Acts of the 78th Legislature, Regular Session, 2003,
15 is amended to read as follows:

16 (c) The executive commissioner of the Health and Human
17 Services Commission [~~or the appropriate state agency operating part~~
18 ~~of the medical assistance program under Chapter 32, Human Resources~~
19 ~~Code,~~] shall adopt rules required by Section 32.0261, Human
20 Resources Code, as added by this Act, so that the rules take effect
21 in accordance with that section not earlier than September 1, 2002,
22 or later than September 1, 2007 [~~2005~~]. The rules must provide for
23 a 12-month period of continuous eligibility in accordance with that
24 section for a child whose initial or continued eligibility is

1 determined on or after the effective date of the rules.

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

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2005.