

Amend CSHB 109 as follows:

(1) On page 2, line 16, strike "Subsection (b)" and substitute "Subsections (a) and (b)".

(2) On page 2, between lines 17 and 18, insert the following:

(a) A child is eligible for health benefits coverage under the child health plan if the child:

(1) is younger than 19 years of age;

(2) is not eligible for medical assistance under the Medicaid program;

(3) is not covered by a health benefits plan offering adequate benefits, as determined by the commission;

(4) has a family income that is less than or equal to the income eligibility level established under Subsection (b); ~~and~~

(5) is not eligible for reasonably affordable coverage as a dependent under a group health benefits plan offered by an employer, as described by Section 62.1012; and

(6) satisfies any other eligibility standard imposed under the child health plan program in accordance with 42 U.S.C. Section 1397bb, as amended, and any other applicable law or regulations.

(3) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 62, Health and Safety Code, is amended by adding Section 62.1012 to read as follows:

Sec. 62.1012. REASONABLY AFFORDABLE COVERAGE OFFERED BY EMPLOYER. (a) A child is not eligible for health benefits coverage under the child health plan if:

(1) the child is eligible for coverage as a dependent under a group health benefits plan offered by an employer; and

(2) the cost of coverage to the employee does not exceed 10 percent of the employee's gross income.

(b) The commission shall require each person considered in the calculation of family income who is employed to submit for each eligibility determination an affidavit by the person's employer stating that the employer does not offer health benefits coverage

for the child at a cost to the employee, including any cost of employee coverage or other dependent coverage necessary to obtain dependent coverage for the child, that is 10 percent or less of the employee's gross income.