

By: Turner

H.B. No. 1142

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exclusion of certain costs from income and
3 resources in determining eligibility for Medicaid.

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

5 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,
6 is amended by adding Section 32.0252 to read as follows:

7 Sec. 32.0252. EXCLUSION OF CERTAIN COSTS. (a) To the extent
8 allowed by federal law, in determining an applicant's eligibility
9 for medical assistance, the department shall exclude from the
10 monthly income and resources of the applicant an amount equal to the
11 average amount charged for electric utility service that is billed
12 in the applicant's name for the applicant's residence during the
13 three months preceding the date of the application.

14 (b) The executive commissioner of the Health and Human
15 Services Commission may adopt rules to implement this section.

16 SECTION 2. The change in law made by this Act applies only
17 to a determination of eligibility of a person for medical
18 assistance under Chapter 32, Human Resources Code, made on or after
19 the effective date of this Act. A determination of eligibility made
20 before the effective date of this Act is governed by the law in
21 effect on the date the determination was made, and the former law is
22 continued in effect for that purpose.

23 SECTION 3. If before implementing any provision of this Act
24 a state agency determines that a waiver or authorization from a

1 federal agency is necessary for implementation of that provision,
2 the agency affected by the provision shall request the waiver or
3 authorization and may delay implementing that provision until the
4 waiver or authorization is granted.

5 SECTION 4. This Act takes effect September 1, 2007.