

By: Martinez

H.B. No. 1261

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for and the administration of the child health plan program.

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

SECTION 1. Section 62.002(4), Health and Safety Code, is amended to read as follows:

(4) "Net [~~Gross~~] family income" means the [~~total~~] amount of income established for a family after reduction for offsets for expenses such as child care and work-related expenses, in accordance with standards applicable under the Medicaid [~~without consideration of any reduction for offsets that may be available to the family under any other~~] program.

SECTION 2. Subchapter B, Chapter 62, Health and Safety Code, is amended by adding Section 62.056 to read as follows:

Sec. 62.056. COMMUNITY OUTREACH CAMPAIGN; TOLL-FREE HOTLINE. (a) The commission shall conduct a community outreach and education campaign to provide information relating to the availability of health benefits for children under this chapter. The commission shall conduct the campaign in a manner that promotes enrollment in, and minimizes duplication of effort among, all state-administered child health programs.

(b) The community outreach campaign must include:

(1) outreach efforts that involve school-based health clinics; and

1           (2) a toll-free telephone number through which  
2 families may obtain information about health benefits coverage for  
3 children.

4           (c) The commission shall contract with community-based  
5 organizations or coalitions of community-based organizations to  
6 implement the community outreach campaign and shall also promote  
7 and encourage voluntary efforts to implement the community outreach  
8 campaign. The commission shall procure the contracts through a  
9 process designed by the commission to encourage broad participation  
10 of organizations, including organizations that target population  
11 groups with high levels of uninsured children.

12           (d) The commission may direct that the Department of State  
13 Health Services perform all or part of the community outreach  
14 campaign.

15           SECTION 3. Section 62.101(b), Health and Safety Code, is  
16 amended to read as follows:

17           (b) The commission shall establish income eligibility  
18 levels consistent with Title XXI, Social Security Act (42 U.S.C.  
19 Section 1397aa et seq.), as amended, and any other applicable law or  
20 regulations, and subject to the availability of appropriated money,  
21 so that a child who is younger than 19 years of age and whose net  
22 [~~gross~~] family income is at or below 200 percent of the federal  
23 poverty level is eligible for health benefits coverage under the  
24 program. [~~In addition, the commission may establish eligibility~~  
25 ~~standards regarding the amount and types of allowable assets for a~~  
26 ~~family whose gross family income is above 150 percent of the federal~~  
27 ~~poverty level.]~~

1 SECTION 4. Section 62.102, Health and Safety Code, is  
2 amended to read as follows:

3 Sec. 62.102. CONTINUOUS COVERAGE. The commission shall  
4 provide that an individual who is determined to be eligible for  
5 coverage under the child health plan remains eligible for those  
6 benefits until the earlier of:

7 (1) the end of a period, not to exceed 12 months, [~~the~~  
8 ~~six-month period~~] following the date of the eligibility  
9 determination; or

10 (2) the individual's 19th birthday.

11 SECTION 5. Sections 62.154(a) and (d), Health and Safety  
12 Code, are amended to read as follows:

13 (a) To the extent permitted under Title XXI of the Social  
14 Security Act (42 U.S.C. Section 1397aa et seq.), as amended, and any  
15 other applicable law or regulations, the child health plan must  
16 include a waiting period and [~~. The child health plan~~] may include  
17 copayments and other provisions intended to discourage:

18 (1) employers and other persons from electing to  
19 discontinue offering coverage for children under employee or other  
20 group health benefit plans; and

21 (2) individuals with access to adequate health benefit  
22 plan coverage, other than coverage under the child health plan,  
23 from electing not to obtain or to discontinue that coverage for a  
24 child.

25 (d) The waiting period required by Subsection (a) must:

26 (1) extend for a period of 90 days after [+]

27 [~~(1)~~] the last date on [~~first day of the month in~~]

1 which the applicant was covered under a health benefits plan; and

2 (2) apply to a child who was covered by a health  
3 benefits plan at any time during the 90 days before the date of  
4 application for coverage under the child health plan [~~is enrolled~~  
5 ~~under the child health plan, if the date of enrollment is on or~~  
6 ~~before the 15th day of the month; or~~

7 [~~(2) the first day of the month after which the~~  
8 ~~applicant is enrolled under the child health plan, if the date of~~  
9 ~~enrollment is after the 15th day of the month].~~

10 SECTION 6. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2007.