

By: Davis of Harris

H.B. No. 2852

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a transitional health plan program for certain children  
3 previously enrolled in the Medicaid or the state child health plan  
4 program.

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

6 SECTION 1. Chapter 62, Health and Safety Code, is amended by  
7 adding Subchapter E to read as follows:

8 SUBCHAPTER E. TRANSITIONAL CHILD HEALTH PLAN PROGRAM

9 Sec. 62.201. AUTHORITY TO ESTABLISH PROGRAM. The  
10 commission may establish a transitional child health plan program  
11 to provide health benefits coverage for children previously  
12 enrolled in the medical assistance program under Chapter 32, Human  
13 Resources Code, or the child health plan program under this chapter  
14 who are no longer eligible for medical assistance or benefits under  
15 those programs.

16 Sec. 62.202. ELIGIBILITY. A child is eligible for health  
17 benefits coverage under the transitional child health plan program  
18 if the child:

19 (1) is younger than 19 years of age;

20 (2) is not eligible for:

21 (A) medical assistance under the medical  
22 assistance program under Chapter 32, Human Resources Code; or

23 (B) covered benefits under the child health plan  
24 program under this chapter;

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

3           (4) satisfies any other eligibility standard imposed  
4 by the commission.

5           Sec. 62.203. BENEFITS COVERAGE. (a) Each health plan  
6 provider that provides coverage under the child health plan program  
7 shall offer health benefits coverage to a child determined to be  
8 eligible for coverage under Section 62.202.

9           (b) A child remains eligible for those benefits until the  
10 earlier of:

11           (1) the first anniversary of the date the child  
12 enrolls in a health plan under Subsection (a); or

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

14           Sec. 62.204. PREMIUM PAYMENTS. (a) The commission shall  
15 determine the amount of the health plan premium for a child  
16 participating in the transitional child health plan program under  
17 this subchapter. The amount of the premium may not exceed the  
18 premium amount paid by the state to cover a child enrolled in the  
19 child health plan program.

20           (b) The commission may not pay any amount of the premium,  
21 deductible, copayment, coinsurance, or other cost-sharing  
22 obligation related to health benefits coverage offered under the  
23 transitional child health plan program.

24           (c) A participant's health plan coverage under this  
25 subchapter shall be terminated on failure to make timely payments  
26 of the premium to be paid for the coverage.

27           Sec. 62.205. RULES; GUIDELINES. The executive

1 commissioner of the commission by rule shall establish:

2 (1) eligibility standards for participants in the  
3 transitional child health plan program under this subchapter; and

4 (2) guidelines for premium payments for health plans  
5 under the program.

6 SECTION 2. Not later than January 1, 2008, the executive  
7 commissioner of the Health and Human Services Commission shall  
8 adopt the rules and guidelines necessary to implement Subchapter E,  
9 Chapter 62, Health and Safety Code, as added by this Act.

10 SECTION 3. 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.