

By: Davis of Harris

H.B. No. 2857

A BILL TO BE ENTITLED

AN ACT

relating to certain functions of the Health and Human Services Commission.

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

SECTION 1. Section 531.001(4), Government Code, is amended to read as follows:

(4) "Health and human services agencies" includes the:

(A) Department of Aging and Disability Services;

(B) Department of State Health Services;

(C) Department of Assistive and Rehabilitative Services; ~~and~~

(D) Department of Family and Protective Services; and

(E) Health and Human Services Commission.

SECTION 2. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.02114 to read as follows:

Sec. 531.02114. MONTHLY REPORT ON ENROLLMENT IN CHILDREN'S HEALTH INSURANCE PROGRAMS. (a) The commission shall prepare a monthly report regarding the combined enrollment for children under 19 years of age who are enrolled in:

(1) the child health plan program;

(2) the medical assistance program under Chapter 32, Human Resources Code; and

(3) any other health benefits program administered by

1 the commission.

2 (b) The report under Subsection (a) must show enrollment on
3 a statewide basis and by county.

4 SECTION 3. Section 62.103, Health and Safety Code, is
5 amended by adding Subsection (e) to read as follows:

6 (e) The commission shall adopt rules requiring an applicant
7 for enrollment or renewal to submit documentation verifying the
8 applicant's income. The commission may authorize the applicant to
9 electronically submit the documentation verifying the applicant's
10 income.

11 SECTION 4. Section 62.104, Health and Safety Code, is
12 amended by adding Subsection (f-1) to read as follows:

13 (f-1) The commission shall adopt rules to automatically
14 assign a health plan provider to a child who does not have a health
15 plan provider selected within a reasonable time after the child's
16 eligibility is determined.

17 SECTION 5. Subchapter B, Chapter 32, Human Resources Code,
18 is amended by adding Section 32.073 to read as follows:

19 Sec. 32.073. EXCLUSION OF CERTAIN RESOURCES IN DETERMINING
20 ELIGIBILITY FOR MEDICAL ASSISTANCE. (a) In this section, "health
21 savings account" means an account containing funds that are used to
22 pay for group or individual health insurance or noninsured medical
23 expenses and that qualify under federal law for exemption from
24 federal taxation. The term includes:

25 (1) a health care reimbursement account;

26 (2) a health savings account; and

27 (3) a medical savings account.

1 (b) The executive commissioner shall adopt rules under
2 which:

3 (1) the balance of a health savings account belonging
4 to an applicant for the medical assistance program or belonging to a
5 member of the applicant's household is excluded in determining
6 whether the applicant meets the household income and resource
7 requirements for eligibility for the program; and

8 (2) any amounts deducted from the applicant's income
9 or from the income of a member of the applicant's household on a
10 recurring basis are excluded from that income so that only the
11 applicant's or household member's net income after excluding those
12 amounts is considered in determining whether the applicant meets
13 the household income requirements for eligibility for the medical
14 assistance program.

15 SECTION 6. This Act takes effect September 1, 2007.