

By: Zaffirini

S.B. No. 598

A BILL TO BE ENTITLED

AN ACT

relating to providing medical assistance to certain former foster care adolescents.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02471 to read as follows:

Sec. 32.02471. MEDICAL ASSISTANCE FOR CERTAIN FORMER FOSTER CARE ADOLESCENTS ENROLLED IN HIGHER EDUCATION. (a) In this section, "independent foster care adolescent" has the meaning assigned by Section 32.0247.

(b) Except as provided by Subsection (d), the department shall provide medical assistance to a person who:

(1) is 21 years of age or older but younger than 25 years of age;

(2) would be eligible to receive assistance as an independent foster care adolescent under Section 32.0247 if the person were younger than 21 years of age; and

(3) is enrolled in an institution of higher education, as defined by Section 61.003(8), Education Code, or a private or independent institution of higher education, as defined by Section 61.003(15), Education Code, that is located in this state and is making satisfactory academic progress as determined by the institution.

(c) The department shall apply for and actively pursue a

1 waiver or other authorization from an appropriate federal agency to
2 receive matching funds to provide medical assistance under this
3 section.

4 (d) If the waiver or authorization applied for under
5 Subsection (c) is not granted, the department shall use funds
6 appropriated for that purpose to develop and implement a program
7 designed to provide health care services and benefits to a person
8 described by Subsection (b) in a manner that is substantively
9 identical to the medical assistance provided to independent foster
10 care adolescents under Section 32.0247, except to the extent that
11 programmatic differences are appropriate because of the
12 populations served by the programs and the sources of funding for
13 the programs.

14 SECTION 2. Not later than October 1, 2007, the Health and
15 Human Services Commission shall apply to the federal Centers for
16 Medicare and Medicaid Services for a waiver or other authorization
17 as required by Section 32.02471, Human Resources Code, as added by
18 this Act.

19 SECTION 3. This Act takes effect September 1, 2007.