

By: Patrick, Nelson, Uresti

S.B. No. 1098

A BILL TO BE ENTITLED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

relating to a subsidy for health benefits coverage for certain adopted children.

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

SECTION 1. Section 162.304, Family Code, is amended by adding Subsections (b-1), (b-2), and (g) to read as follows:

(b-1) The department shall pay a \$150 subsidy each month for the premiums for health benefits coverage for a child with respect to whom a court has entered a final order of adoption if the child:

(1) was in the conservatorship of the department at the time of the child's adoptive placement;

(2) after the adoption, is not eligible for medical assistance under Chapter 32, Human Resources Code; and

(3) is younger than 18 years of age.

(b-2) The executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Subsection (b-1), including rules that:

(1) limit eligibility for the subsidy under that subsection to a child whose adoptive family income is less than 300 percent of the federal poverty level;

(2) provide for the manner in which the department shall pay the subsidy under that subsection; and

(3) specify any documentation required to be provided by an adoptive parent as proof that the subsidy is used to obtain

1 and maintain health benefits coverage for the adopted child.

2 (g) A child for whom a subsidy is provided under Subsection
3 (b-1) for premiums for health benefits coverage and who does not
4 receive any other subsidy under this section is not considered to be
5 the subject of an adoption assistance agreement for any other
6 purpose, including for determining eligibility for the exemption
7 from payment of tuition and fees for higher education under Section
8 54.2111, Education Code.

9 SECTION 2. The change in law made by this Act applies only
10 to financial and medical assistance available under Section
11 162.304, Family Code, as amended by this Act, for a child for whom a
12 final order of adoption is entered on or after the effective date of
13 this Act. Financial and medical assistance for a child for whom a
14 final order of adoption is entered before the effective date of this
15 Act is governed by the law in effect on the date the order was
16 entered, and the former law is continued in effect for that purpose.

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