

1-1 By: Patrick S.B. No. 1098
1-2 (In the Senate - Filed March 2, 2007; March 14, 2007, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 25, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 25, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1098 By: Patrick

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a subsidy for health benefits coverage for certain
1-11 adopted children.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 162.304, Family Code, is amended by
1-14 adding Subsections (b-1), (b-2), and (g) to read as follows:

1-15 (b-1) The department shall pay a \$150 subsidy each month for
1-16 the premiums for health benefits coverage for a child with respect
1-17 to whom a court has entered a final order of adoption if the child:

1-18 (1) was in the conservatorship of the department at
1-19 the time of the child's adoptive placement;

1-20 (2) after the adoption, is not eligible for medical
1-21 assistance under Chapter 32, Human Resources Code; and

1-22 (3) is younger than 18 years of age.

1-23 (b-2) The executive commissioner of the Health and Human
1-24 Services Commission shall adopt rules necessary to implement
1-25 Subsection (b-1), including rules that:

1-26 (1) limit eligibility for the subsidy under that
1-27 subsection to a child whose adoptive family income is less than 300
1-28 percent of the federal poverty level;

1-29 (2) provide for the manner in which the department
1-30 shall pay the subsidy under that subsection; and

1-31 (3) specify any documentation required to be provided
1-32 by an adoptive parent as proof that the subsidy is used to obtain
1-33 and maintain health benefits coverage for the adopted child.

1-34 (g) A child for whom a subsidy is provided under Subsection
1-35 (b-1) for premiums for health benefits coverage and who does not
1-36 receive any other subsidy under this section is not considered to be
1-37 the subject of an adoption assistance agreement for any other
1-38 purpose, including for determining eligibility for the exemption
1-39 from payment of tuition and fees for higher education under Section
1-40 54.2111, Education Code.

1-41 SECTION 2. The change in law made by this Act applies only
1-42 to financial and medical assistance available under Section
1-43 162.304, Family Code, as amended by this Act, for a child for whom a
1-44 final order of adoption is entered on or after the effective date of
1-45 this Act. Financial and medical assistance for a child for whom a
1-46 final order of adoption is entered before the effective date of this
1-47 Act is governed by the law in effect on the date the order was
1-48 entered, and the former law is continued in effect for that purpose.

1-49 SECTION 3. This Act takes effect September 1, 2007.

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