

By: Shapleigh

S.B. No. 1590

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a claim against the estate of a deceased Medicaid
3 recipient to recover certain Medicaid program costs.

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

5 SECTION 1. Section 531.077, Government Code, is amended by
6 adding Subsections (a-1) and (c) to read as follows:

7 (a-1) Under the rules and standards governing the Medicaid
8 estate recovery program, the first \$30,000 of the value of a
9 decedent's estate shall be disregarded in making an adjustment or
10 recovery of medical assistance provided to the decedent.

11 (c) In this section, "medical assistance" means medical
12 assistance under the state Medicaid program.

13 SECTION 2. If before implementing any provision of this Act
14 a state agency determines that a waiver or authorization from a
15 federal agency is necessary for implementation of that provision,
16 the agency affected by the provision shall request the waiver or
17 authorization and may delay implementing that provision until the
18 waiver or authorization is granted.

19 SECTION 3. The changes in law made by this Act apply only to
20 the estate of a decedent who dies on or after the effective date of
21 this Act. The estate of a decedent who dies before the effective
22 date of this Act is governed by the law in effect on the date of the
23 decedent's death, and the former law is continued in effect for that
24 purpose.

1 SECTION 4. This Act takes effect September 1, 2007.