

By: Nelson, et al.

S.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to eligibility for medical assistance for treatment of  
3 breast or cervical cancer.

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

5 SECTION 1. Section 32.024, Human Resources Code, is amended  
6 by adding Subsection (y-1) to read as follows:

7 (y-1) A woman who receives a breast or cervical cancer  
8 screening service under Title XV of the Public Health Service Act  
9 (42 U.S.C. Section 300k et seq.) and who otherwise meets the  
10 eligibility requirements for medical assistance for treatment of  
11 breast or cervical cancer as provided by Subsection (y) is eligible  
12 for medical assistance under that subsection, regardless of whether  
13 federal Medicaid matching funds are available for that medical  
14 assistance. A screening service of a type that is within the scope  
15 of screening services under that title is considered to be provided  
16 under that title regardless of whether the service was provided by a  
17 provider who receives or uses funds under that title.

18 SECTION 2. If before implementing any provision of this Act  
19 a state agency determines that a waiver or authorization from a  
20 federal agency is necessary for implementation of that provision,  
21 the agency affected by the provision shall request the waiver or  
22 authorization and may delay implementing that provision until the  
23 waiver or authorization is granted.

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