

By: Nelson

S.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

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

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

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

(y-1) A woman who receives a breast or cervical cancer screening service and who otherwise meets the eligibility requirements for medical assistance for treatment of breast or cervical cancer as provided by Subsection (y) is eligible for medical assistance under that subsection if the screening service was provided under Title XV of the Public Health Service Act (42 U.S.C. Section 300k et seq.), regardless of whether federal Medicaid matching funds are available for that medical assistance. A screening service is considered to be provided under that title if the service was provided by a provider who receives funds under that title through a grant, subgrant, or contract awarded under the breast and cervical cancer control program and the service:

(1) was funded using money received under that title;

or

(2) was not funded using money received under that title, but was within the scope of the services authorized under the provider's grant, subgrant, or contract.

SECTION 2. If before implementing any provision of this Act

1 a state agency determines that a waiver or authorization from a
2 federal agency is necessary for implementation of that provision,
3 the agency affected by the provision shall request the waiver or
4 authorization and may delay implementing that provision until the
5 waiver or authorization is granted.

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