

BILL ANALYSIS

H.B. 1630
By: Naishtat
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, when a youth is placed, detained, or committed to the Texas Youth Commission (TYC) or a juvenile detention facility, TYC or the facility is responsible for providing health care to the youth. County, state, and federal dollars pay for this coverage, regardless of whether the individual is eligible for health care coverage through Medicaid or the children's health insurance program (CHIP) before detention. Juveniles with health coverage through CHIP or Medicaid who transition out of a facility or TYC often experience gaps in coverage and health care services.

H.B. 1630 requires the suspension of Medicaid or CHIP for a youth who is placed, detained, or committed in the state's juvenile justice system. The bill requires automatic reinstatement of eligibility for a youth enrolled in Medicaid or CHIP upon release from such a facility.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1630 amends the Health and Safety to provide for the suspension of eligibility in state child health plan coverage, during a period of placement, detention, or commitment in a facility or other setting for an enrolled individual if that placement, detainment, or commitment under the Juvenile Justice Code would otherwise result in the loss of the individual's eligibility for coverage. The bill provides for the automatic reinstatement of eligibility on the date the individual is released from the facility or other setting, and for continued eligibility following the reinstatement until the period of continuous coverage expires. The bill excludes any period during which an individual's eligibility was suspended from being considered for a determination of termination of continued coverage under the plan or during the sixth month review for continued coverage for an individual whose net family income exceeds 185 percent of the federal poverty level.

H.B. 1630 amends the Human Resources Code to provide for the suspension of eligibility in the Medicaid program, during a period of placement, detention, or commitment under the Juvenile Justice Code in a facility or other setting for an enrolled individual if that placement, detainment, or commitment would otherwise result in the loss of the individual's eligibility for Medicaid assistance. The bill provides for the automatic reinstatement in the program on the date the individual is released from the facility or other setting, and for continued eligibility following the reinstatement until the period of continuous coverage expires. The bill excludes any period during which an individual's eligibility was suspended from being considered for a determination of termination of continued coverage under the program.

H.B. 1630 requires a state agency that is affected by a provision of the bill to request a federal

waiver or authorization if the agency determines that a waiver or authorization is necessary for the implementation of the provision, and it authorizes the agency to delay implementation until the federal waiver or authorization is obtained.

EFFECTIVE DATE

September 1, 2009.