

By: Zerwas, Corte, et al.

H.B. No. 497

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a study to determine the effect on the health care
3 infrastructure in this state if the state Medicaid program is
4 abolished or a severe reduction in federal matching money under the
5 program occurs.

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

7 SECTION 1. (a) The Health and Human Services Commission and
8 Texas Department of Insurance shall conduct a joint study to
9 determine the effect on the health care infrastructure in this
10 state, including health care delivery mechanisms, if the state
11 Medicaid program is abolished or the amount of federal matching
12 money available to the state under the program is severely reduced.
13 The study must address the effect on the availability of and
14 accessibility to health care services provided under the state
15 Medicaid program as of the effective date of this Act. In
16 conducting the study, the commission and department may seek input
17 from health advocacy groups.

18 (b) As part of the study, the Health and Human Services
19 Commission and Texas Department of Insurance shall:

20 (1) identify all available health care resources
21 throughout the state, both public and private, that are not funded
22 wholly or partly by the state Medicaid program;

23 (2) identify which population groups receiving
24 services under the state Medicaid program as of the effective date

1 of this Act would be most at risk of losing those services if the
2 program were abolished or the amount of federal matching money
3 available to the state under the program were severely reduced; and

4 (3) determine the effect abolishment of the state
5 Medicaid program would have on local health care service providers
6 and local financing mechanisms that provide or support care to
7 individuals who cannot afford necessary health care services.

8 (c) Not later than July 1, 2010, the Health and Human
9 Services Commission and Texas Department of Insurance shall submit
10 a joint report of the commission's and department's findings and
11 conclusions resulting from the study to the lieutenant governor,
12 the speaker of the house of representatives, and the presiding
13 officers of the standing committees of the senate and house of
14 representatives having primary jurisdiction over health and human
15 services. The report must include:

16 (1) a statewide plan for making a transition of the
17 provision and delivery of health care services from the state
18 Medicaid program to a new health care delivery system if the program
19 were abolished or the amount of federal matching money available to
20 the state under the program were severely reduced; and

21 (2) an analysis of the fiscal impact to this state of
22 continuing to provide health care services to population groups
23 served by the state Medicaid program if the program were abolished
24 or the amount of federal matching money available to the state under
25 the program were severely reduced, including a fiscal analysis for
26 each phase of the transition plan described by Subdivision (1) of
27 this subsection.

1 (d) The executive commissioner of the Health and Human
2 Services Commission and the commissioner of insurance may adopt the
3 transition plan required by Subsection (c)(1) of this section as a
4 contingency plan for transitioning recipients of health care
5 services from the state Medicaid program to a new health care
6 delivery system.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.