

1-1 By: Zerwas, et al. (Senate Sponsor - Nelson) H.B. No. 497
1-2 (In the Senate - Received from the House May 1, 2009;
1-3 May 6, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 13, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 13, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a study to determine the effect on the health care
1-9 infrastructure in this state if the state Medicaid program is
1-10 abolished or a severe reduction in federal matching money under the
1-11 program occurs.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. (a) The Health and Human Services Commission and
1-14 Texas Department of Insurance shall conduct a joint study to
1-15 determine the effect on the health care infrastructure in this
1-16 state, including health care delivery mechanisms, if the state
1-17 Medicaid program is abolished or the amount of federal matching
1-18 money available to the state under the program is severely reduced.
1-19 The study must address the effect on the availability of and
1-20 accessibility to health care services provided under the state
1-21 Medicaid program as of the effective date of this Act. In
1-22 conducting the study, the commission and department may seek input
1-23 from health advocacy groups.

1-24 (b) As part of the study, the Health and Human Services
1-25 Commission and Texas Department of Insurance shall:

1-26 (1) identify all available health care resources
1-27 throughout the state, both public and private, that are not funded
1-28 wholly or partly by the state Medicaid program;

1-29 (2) identify which population groups receiving
1-30 services under the state Medicaid program as of the effective date
1-31 of this Act would be most at risk of losing those services if the
1-32 program were abolished or the amount of federal matching money
1-33 available to the state under the program were severely reduced; and

1-34 (3) determine the effect abolishment of the state
1-35 Medicaid program would have on local health care service providers
1-36 and local financing mechanisms that provide or support care to
1-37 individuals who cannot afford necessary health care services.

1-38 (c) Not later than July 1, 2010, the Health and Human
1-39 Services Commission and Texas Department of Insurance shall submit
1-40 a joint report of the commission's and department's findings and
1-41 conclusions resulting from the study to the lieutenant governor,
1-42 the speaker of the house of representatives, and the presiding
1-43 officers of the standing committees of the senate and house of
1-44 representatives having primary jurisdiction over health and human
1-45 services. The report must include:

1-46 (1) a statewide plan for making a transition of the
1-47 provision and delivery of health care services from the state
1-48 Medicaid program to a new health care delivery system if the program
1-49 were abolished or the amount of federal matching money available to
1-50 the state under the program were severely reduced; and

1-51 (2) an analysis of the fiscal impact to this state of
1-52 continuing to provide health care services to population groups
1-53 served by the state Medicaid program if the program were abolished
1-54 or the amount of federal matching money available to the state under
1-55 the program were severely reduced, including a fiscal analysis for
1-56 each phase of the transition plan described by Subdivision (1) of
1-57 this subsection.

1-58 (d) The executive commissioner of the Health and Human
1-59 Services Commission and the commissioner of insurance may adopt the
1-60 transition plan required by Subsection (c)(1) of this section as a
1-61 contingency plan for transitioning recipients of health care
1-62 services from the state Medicaid program to a new health care
1-63 delivery system.

1-64 SECTION 2. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as
2-2 provided by Section 39, Article III, Texas Constitution. If this
2-3 Act does not receive the vote necessary for immediate effect, this
2-4 Act takes effect September 1, 2009.

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