

By: Dukes

H.B. No. 744

A BILL TO BE ENTITLED

AN ACT

relating to the restoration of the medically needy program under the state Medicaid program.

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

SECTION 1. Section 32.024(i), Human Resources Code, as amended by Chapters 198 (H.B. 2292) and 1251 (S.B. 1862), Acts of the 78th Legislature, Regular Session, 2003, is reenacted and amended to read as follows:

(i) The ~~[Subject to appropriated state funds, the]~~ department in its adoption of rules shall establish a medically needy program that serves pregnant women, children, and caretakers who have high medical expenses. At a minimum, the program must serve recipients, including adult recipients, in the same manner and at the same level that services were provided to recipients under the medically needy program during the state fiscal biennium ending August 31, 2003.

SECTION 2. Not later than October 1, 2009, the executive commissioner of the Health and Human Services Commission shall adopt rules as necessary under Section 32.024(i), Human Resources Code, as amended by Chapters 198 (H.B. 2292) and 1251 (S.B. 1862), Acts of the 78th Legislature, Regular Session, 2003, and this Act, that, to the extent possible, are substantively identical to the rules relating to the medically needy program that were in effect on August 31, 2003.

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

7 SECTION 4. This Act takes effect September 1, 2009.