

By: Cohen

H.B. No. 787

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for the child health plan.

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

SECTION 1. Section 62.101(b), Health and Safety Code, is amended to read as follows:

(b) The commission shall establish income eligibility levels consistent with Title XXI, Social Security Act (42 U.S.C. Section 1397aa et seq.), as amended, and any other applicable law or regulations, and subject to the availability of appropriated money, so that a child who is younger than 19 years of age and whose net family income is at or below 300 [~~200~~] percent of the federal poverty level is eligible for health benefits coverage under the program. In addition, the commission may establish eligibility standards regarding the amount and types of allowable assets for a family whose net family income is above 150 percent of the federal poverty level.

SECTION 2. Section 62.102(b), Health and Safety Code, is amended to read as follows:

(b) During the sixth month following the date of initial enrollment or reenrollment of an individual whose net family income exceeds 285 [~~185~~] percent of the federal poverty level, the commission shall:

(1) review the individual's net family income and may use electronic technology if available and appropriate; and

1 (2) continue to provide coverage if the individual's
2 net family income does not exceed the income eligibility limits
3 prescribed by this chapter.

4 SECTION 3. Section 62.101(b), Health and Safety Code, as
5 amended by this Act, applies to a determination of eligibility of a
6 person for coverage under the child health plan under Chapter 62,
7 Health and Safety Code, made on or after the effective date of this
8 Act, regardless of the date the person applied for that coverage.

9 SECTION 4. Section 62.102(b), Health and Safety Code, as
10 amended by this Act, applies to an enrollee under the child health
11 plan under Chapter 62, Health and Safety Code, beginning on the
12 effective date of this Act, regardless of the date the enrollment
13 period began.

14 SECTION 5. If before implementing any provision of this Act
15 a state agency determines that a waiver or authorization from a
16 federal agency is necessary for implementation of that provision,
17 the agency affected by the provision shall request the waiver or
18 authorization and may delay implementing that provision until the
19 waiver or authorization is granted.

20 SECTION 6. This Act takes effect September 1, 2009.