

By: Bolton

H.B. No. 1903

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to eligibility for and administration of the child health  
3 plan program.

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

5 SECTION 1. Section 62.002(4), Health and Safety Code, is  
6 amended to read as follows:

7 (4) "Net family income" means the amount of income  
8 established for a family after reduction for offsets for expenses  
9 such as child care and work-related expenses, in accordance with  
10 standards applicable under the Medicaid program.

11 SECTION 2. Section 62.101(b), Health and Safety Code, is  
12 amended to read as follows:

13 (b) The commission shall establish income eligibility  
14 levels consistent with Title XXI, Social Security Act (42 U.S.C.  
15 Section 1397aa et seq.), as amended, and any other applicable law or  
16 regulations, and subject to the availability of appropriated money,  
17 so that a child who is younger than 19 years of age and whose net  
18 family income is at or below 200 percent of the federal poverty  
19 level is eligible for health benefits coverage under the program.

20 ~~[In addition, the commission may establish eligibility standards~~  
21 ~~regarding the amount and types of allowable assets for a family~~  
22 ~~whose net family income is above 150 percent of the federal poverty~~  
23 ~~level.]~~

24 SECTION 3. Section 62.102(a), Health and Safety Code, is

1 amended to read as follows:

2 (a) The [~~Subject to a review under Subsection (b), the~~]  
3 commission shall provide that an individual who is determined to be  
4 eligible for coverage under the child health plan remains eligible  
5 for those benefits until the earlier of:

6 (1) the end of a period not to exceed 12 months,  
7 beginning the first day of the month following the date of the  
8 eligibility determination; or

9 (2) the individual's 19th birthday.

10 SECTION 4. Sections 62.101(b-1) and 62.102(b) and (c),  
11 Health and Safety Code, are repealed.

12 SECTION 5. The changes in law made by this Act apply to a  
13 determination or redetermination of eligibility of a person for  
14 coverage under the child health plan under Chapter 62, Health and  
15 Safety Code, made on or after the effective date of this Act,  
16 regardless of the date the person initially applied for that  
17 coverage.

18 SECTION 6. If before implementing any provision of this Act  
19 a state agency determines that a waiver or authorization from a  
20 federal agency is necessary for implementation of that provision,  
21 the agency affected by the provision shall request the waiver or  
22 authorization and may delay implementing that provision until the  
23 waiver or authorization is granted.

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