

By: Gonzales

H.B. No. 2204

A BILL TO BE ENTITLED

AN ACT

relating to the period of continuous eligibility for the medical assistance program.

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

SECTION 1. Section 32.0261, Human Resources Code, is amended to read as follows:

Sec. 32.0261. CONTINUOUS ELIGIBILITY. The department shall adopt rules in accordance with 42 U.S.C. Section 1396a(e)(12), as amended, to provide for a period of continuous eligibility for a child under 19 years of age who is determined to be eligible for medical assistance under this chapter. The rules shall provide that the child remains eligible for medical assistance, without additional review by the department and regardless of changes in the child's resources or income, until the earlier of:

(1) the first anniversary of ~~[end of the six-month period following]~~ the date on which the child's eligibility was determined; or

(2) the child's 19th birthday.

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

1 waiver or authorization is granted.

2 SECTION 3. This Act takes effect September 1, 2009.