

By: Turner of Harris

H.B. No. 2376

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for and strengthening outreach activities under the child health plan program.

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

SECTION 1. Section 62.056, Health and Safety Code, is amended by amending Subsection (a) and adding Subsections (f) and (g) to read as follows:

(a) The commission shall strengthen the ~~[conduct a]~~ community outreach and education campaign in a manner that is designed to aggressively and proactively ~~[to]~~ provide information relating to the availability of health benefits for children under this chapter. The commission shall conduct the campaign in a manner that:

(1) promotes enrollment in, and minimizes duplication of effort among, all state-administered child health programs; and

(2) initially prioritizes enrolling in the program children whose net family income is at or below 200 percent of the federal poverty level and, after the commission establishes the income eligibility level in accordance with Section 62.101(b-2), subsequently prioritizes enrolling in the program children whose net family income is at or below 300 percent of the federal poverty level.

(f) To strengthen the community outreach and education campaign as required by Subsection (a), the commission shall

1 establish a partnership with stakeholders who will provide outreach
2 and benefits application assistance that is supplemental to the
3 outreach conducted by contractors under Subsection (c) by:

4 (1) fostering the exchange of information regarding,
5 and promoting, best practices for obtaining health benefits
6 coverage for children;

7 (2) conducting the outreach in a manner consistent
8 with the priorities stated in Subsection (a)(2); and

9 (3) disseminating successful outreach models across
10 this state under which entities such as hospitals, school
11 districts, and local businesses partner to identify children
12 without health benefits coverage.

13 (g) The partnership established under Subsection (f) must
14 include entities that contract with the commission to perform
15 eligibility determination and enrollment functions,
16 community-based organizations that contract with the commission,
17 health benefit plan providers, Texas Health Steps program
18 contractors, health care providers, consumer advocates, and other
19 interested stakeholders.

20 SECTION 2. Section 62.101, Health and Safety Code, is
21 amended by amending Subsections (b) and (c) and adding Subsections
22 (b-2) and (d) to read as follows:

23 (b) Subject to Subsection (b-2), the [The] commission shall
24 establish income eligibility levels consistent with Title XXI,
25 Social Security Act (42 U.S.C. Section 1397aa et seq.), as amended,
26 and any other applicable law or regulations, and subject to the
27 availability of appropriated money, so that a child who is younger

1 than 19 years of age and whose net family income is at or below 200
2 percent of the federal poverty level is eligible for health
3 benefits coverage under the program. In addition to the income
4 eligibility levels established under this subsection or Subsection
5 (b-2), the commission may establish eligibility standards
6 regarding the amount and types of allowable assets for a family
7 whose net family income is above 150 percent of the federal poverty
8 level.

9 (b-2) As soon as possible after the date the commission
10 determines that 80 percent or more of children in this state who are
11 eligible for health benefits coverage under the child health plan
12 program are enrolled in the program or in other adequate health
13 benefits plan coverage, the commission shall establish income
14 eligibility levels consistent with Title XXI, Social Security Act
15 (42 U.S.C. Section 1397aa et seq.), as amended, and any other
16 applicable law or regulations, and subject to the availability of
17 appropriated money, so that a child who is younger than 19 years of
18 age and whose net family income is at or below 300 percent of the
19 federal poverty level is eligible for health benefits coverage
20 under the program.

21 (c) The commissioner shall evaluate enrollment levels and
22 program impact [~~every six months during the first 12 months of~~
23 ~~implementation and~~] at least annually [~~thereafter~~] and shall submit
24 a finding of fact to the Legislative Budget Board and the Governor's
25 Office of Budget and Planning as to:

26 (1) the adequacy of funding and the ability of the
27 program to sustain enrollment at the eligibility level established

1 by Subsection (b); and

2 (2) the percentage of children in this state who are
3 eligible for health benefits coverage under the child health plan
4 program and who are enrolled in the program or in other adequate
5 health benefits plan coverage.

6 (d) In the event that appropriated money is insufficient to
7 sustain enrollment at the authorized eligibility level, the
8 commissioner shall:

9 (1) suspend enrollment in the child health plan;

10 (2) establish a waiting list for applicants for
11 coverage; and

12 (3) establish a process for periodic or continued
13 enrollment of applicants in the child health plan program as the
14 availability of money allows.

15 SECTION 3. Section 62.1011, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 62.1011. VERIFICATION OF INCOME. The commission
18 shall continue employing methods of verifying the net income of the
19 individuals considered in the calculation of an applicant's net
20 family income. The commission shall verify income under this
21 section unless the applicant reports a net family income that
22 exceeds the income eligibility level established under Section
23 62.101(b) or, if applicable, Section 62.101(b-2).

24 SECTION 4. If before implementing any provision of this Act
25 a state agency determines that a waiver or authorization from a
26 federal agency is necessary for implementation of that provision,
27 the agency affected by the provision shall request the waiver or

1 authorization and may delay implementing that provision until the
2 waiver or authorization is granted.

3 SECTION 5. This Act takes effect September 1, 2009.