

By: Herrero

H.B. No. 4192

A BILL TO BE ENTITLED

AN ACT

1
2 relating to medical assistance for certain children with
3 disabilities.

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

5 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,
6 is amended by adding Section 32.02492 to read as follows:

7 Sec. 32.02492. MEDICAL ASSISTANCE FOR CHILDREN WITH
8 DISABILITIES. (a) The department shall provide medical assistance
9 to a child with a disability who is not otherwise eligible for
10 medical assistance due to income or resource eligibility criteria,
11 using eligibility criteria consistent with 42 U.S.C. Section
12 1396a(e)(3).

13 (b) The executive commissioner of the Health and Human
14 Services Commission shall adopt rules regarding the provision of
15 medical assistance under this section.

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

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