

By: Pitts

H.B. No. 4588

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring the Department of Family and Protective
3 Services to apply for Medicaid for certain children in the
4 conservatorship of the state.

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

6 SECTION 1. Subchapter B, Chapter 264, Family Code, is
7 amended by adding Section 264.1011 to read as follows:

8 Sec. 264.1011. MEDICAL ASSISTANCE FOR CHILDREN IN STATE
9 CUSTODY. To the fullest extent possible in accordance with federal
10 law, the department shall apply for medical assistance under
11 Chapter 32, Human Resources Code, on behalf of a child that is not
12 covered by a health benefits plan and:

13 (1) for whom the department has initiated a suit and
14 has been named managing conservator under an order rendered under
15 this title; or

16 (2) who is under the placement and care of a state
17 agency or political subdivision with which the department has
18 entered into an agreement to reimburse the cost of care and
19 supervision of the child.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2009.