

By: Shapleigh

S.B. No. 349

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

7 Sec. 32.0261. CONTINUOUS ELIGIBILITY. The department
8 shall adopt rules in accordance with 42 U.S.C. Section
9 1396a(e)(12), as amended, to provide for a period of continuous
10 eligibility for a child under 19 years of age who is determined to
11 be eligible for medical assistance under this chapter. The rules
12 shall provide that the child remains eligible for medical
13 assistance, without additional review by the department and
14 regardless of changes in the child's resources or income, until the
15 earlier of:

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

19 (2) the child's 19th birthday.

20 SECTION 2. If before implementing any provision of this Act
21 a state agency determines that a waiver or authorization from a
22 federal agency is necessary for implementation of that provision,
23 the agency affected by the provision shall request the waiver or
24 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.