

Amend CSSB 23 (house committee printing) as follows:

(1) Immediately following the heading to SECTION 11 of the bill (page 36, line 7), between "COLLECTION." and "Subchapter B", insert "(a)".

(2) In SECTION 11 of the bill (page 37, between lines 4 and 5), insert the following appropriately lettered subsection:

(____) Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.04242 to read as follows:

Sec. 32.04242. PAYOR OF LAST RESORT. The executive commissioner of the Health and Human Services Commission shall adopt rules to ensure, to the extent allowed by federal law, that the Medicaid program:

(1) is the payor of last resort; and

(2) provides reimbursement for services, including long-term care services, only if, and to the extent, other adequate public or private sources of payment are not available.