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H.B. No. 335

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to implementation and requirements of certain health care  
3 reform laws.

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

5 SECTION 1. Chapter 322, Government Code, is amended by  
6 adding Section 322.021 to read as follows:

7 Sec. 322.021. MANDATORY HEALTH CARE REFORM REPORTS FROM  
8 STATE AGENCIES. (a) In this section, "state agency" has the  
9 meaning assigned by Section 2056.001.

10 (b) A state agency may not implement a provision of a  
11 federal health care reform law described by Subsection (c) unless  
12 the state agency submits a report described by Subsection (d) to:

- 13 (1) the board;  
14 (2) the governor;  
15 (3) the lieutenant governor;  
16 (4) the speaker of the house of representatives; and  
17 (5) the appropriate standing legislative committees  
18 having jurisdiction over issues relating to health care reform.

19 (c) A state agency must submit a report described by  
20 Subsection (d) of an expenditure incurred in implementing a  
21 provision of a federal health care reform law if:

- 22 (1) the provision:  
23 (A) requires a person to purchase health  
24 insurance or similar health coverage;

1           (B) requires an employer to provide health  
2 insurance or similar health coverage to or for employees;

3           (C) imposes a penalty on an employer who does not  
4 provide health insurance or similar health coverage to or for  
5 employees;

6           (D) expands eligibility for the state Medicaid  
7 program or state child health plan program;

8           (E) creates a health insurance coverage mandate  
9 affecting a person; or

10           (F) creates a new health insurance or similar  
11 health coverage program that is administered by this state or a  
12 political subdivision of this state; or

13           (2) the board, in the exercise of the board's duties  
14 under this chapter, determines that a report about the expenditure  
15 is necessary to a comprehensive and continuing review of a program  
16 or operation of a state agency.

17           (d) A report required under Subsection (b) must:

18           (1) cite the specific federal statute or regulation  
19 that requires the state to implement the provision;

20           (2) state whether the provision requires or allows a  
21 state waiver or option;

22           (3) describe the state action required to implement  
23 the provision;

24           (4) identify the individuals, legal entities, and  
25 state agencies that may be impacted by the implementation of or  
26 refusal to implement the provision; and

27           (5) estimate the cost to be incurred by the state to

1 implement the provision.

2 SECTION 2. This Act takes effect September 1, 2011.