

AN ACT

relating to implementation and requirements of certain health care reform laws.

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

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

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

(b) A state agency shall submit a report described by Subsection (d) to:

(1) the board;

(2) the governor;

(3) the lieutenant governor;

(4) the speaker of the house of representatives; and

(5) the appropriate standing legislative committees having jurisdiction over issues relating to health care reform.

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

(1) the provision:

(A) requires a person to purchase health insurance or similar health coverage;

(B) requires an employer to provide health

1 insurance or similar health coverage to or for employees;

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

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

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

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

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

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

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

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

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

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

26 (5) estimate the cost to be incurred by the state to
27 implement the provision.

1 SECTION 2. The changes in law made by Section 322.021,
2 Government Code, as added by this Act, apply only to a provision of
3 federal health care reform law implemented by a state agency on or
4 after the effective date of this Act. A provision of federal health
5 care reform law implemented by a state agency before the effective
6 date of this Act is governed by the law as it existed immediately
7 before the effective date of this Act, and that law is continued in
8 effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 335 was passed by the House on May 12, 2011, by the following vote: Yeas 129, Nays 11, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 335 on May 27, 2011, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 335 on May 29, 2011, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

Chief Clerk of the House

H.B. No. 335

I certify that H.B. No. 335 was passed by the Senate, with amendments, on May 25, 2011, by the following vote: Yeas 24, Nays 7; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 335 on May 29, 2011, by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

APPROVED: _____

Date

Governor