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H.B. No. 335

A BILL TO BE ENTITLED

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 may not implement a provision of a federal health care reform law described by Subsection (c) unless the state agency submits a report described by Subsection (d) to the board.

(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 insurance or similar health coverage to or for employees;

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

1           (D) expands eligibility for the state Medicaid  
2 program or state child health plan program;

3           (E) creates a health insurance coverage mandate  
4 affecting a person; or

5           (F) creates a new health insurance or similar  
6 health coverage program that is administered by this state or a  
7 political subdivision of this state; or

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

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

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

15           (2) state whether the provision requires or allows a  
16 state waiver or option;

17           (3) describe the state action required to implement  
18 the provision;

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

22           (5) estimate the cost to be incurred by the state to  
23 implement the provision; and

24           (6) describe the consequences that may be imposed on  
25 the state for refusing to implement the provision.

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