

By: Gonzales of Hidalgo, Schwertner,
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H.B. No. 392

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a county's eligibility to receive state assistance for
3 health care expenditures that exceed eight percent of the county's
4 general revenue levy for the year.

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

6 SECTION 1. Section 61.037, Health and Safety Code, is
7 amended by adding Subsection (b-1) to read as follows:

8 (b-1) A county may include as part of the county's eight
9 percent expenditure level calculated under Subsection (b)(1) any
10 payment made by the county for health care services provided
11 through Medicaid, including the county's direct reimbursement to
12 health care providers and indirect reimbursement through transfers
13 of funds to the state for health care services provided through
14 Medicaid.

15 SECTION 2. Section 61.038, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 61.038. DISTRIBUTION OF ASSISTANCE FUNDS. (a) If the
18 department determines that a county is eligible for assistance, the
19 department shall distribute funds appropriated to the department
20 from the indigent health care assistance fund or any other
21 available fund to the county to assist the county in providing:

22 (1) health care services under Sections 61.028 and
23 61.0285 to its eligible county residents who qualify for assistance
24 as described by Section 61.037; or

1 (2) health care services provided through Medicaid as
2 described by Section 61.037(b-1).

3 (b) State funds provided under this section to a county must
4 be equal to at least 90 percent of the actual payment for the health
5 care services for the county's eligible residents, including any
6 payments made by the county for health care services provided
7 through Medicaid as described by Section 61.037(b-1), during the
8 remainder of the state fiscal year after the eight percent
9 expenditure level is reached.

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