

By: Shelton

H.B. No. 3136

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to greater flexibility over the administration and  
3 operation of the Medicaid program.

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

5 SECTION 1. (a) The Health and Human Services Commission  
6 shall identify changes to the administration and operation of the  
7 Medicaid program that would increase efficiency and reduce program  
8 costs borne by this state if implemented, but that the commission  
9 cannot implement because of restrictions under federal law. The  
10 commission shall actively pursue a waiver or other authorization  
11 from the federal Centers for Medicare and Medicaid Services to  
12 implement those changes to the extent permitted by the laws of this  
13 state.

14 (b) In addition to any changes with respect to which the  
15 Health and Human Services Commission pursues a waiver or other  
16 authorization under Subsection (a) of this section, the commission  
17 shall actively seek from appropriate federal governmental  
18 entities:

19 (1) flexibility with respect to the Medicaid  
20 maintenance of effort requirements specified in the Patient  
21 Protection and Affordable Care Act (Pub. L. No. 111-148) as amended  
22 by the Health Care and Education Reconciliation Act of 2010 (Pub. L.  
23 No. 111-152) to allow the commission to modify eligibility criteria  
24 as necessary to maintain control of rising Medicaid costs;

1           (2) flexibility with respect to the benefits provided  
2 to recipients under the Medicaid program; and

3           (3) authorization to impose nominal copayments for  
4 Medicaid services to encourage Medicaid recipients to take  
5 responsibility for health care decision-making, allow recipients  
6 to have greater ownership over their health care, and modify  
7 recipients' behaviors that result in inappropriate use of services.

8           SECTION 2. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2011.