

By: Strama

H.B. No. 3256

A BILL TO BE ENTITLED

AN ACT

relating to the extension of and expansion of eligibility for the Women's Health Program demonstration project.

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

SECTION 1. Sections 32.0248(a), (b), (g), and (i), Human Resources Code, are amended to read as follows:

(a) The department shall operate [~~establish~~] a [~~five-year~~] demonstration project through the medical assistance program to expand access to preventive health and family planning services for women. A woman eligible under Subsection (b) to participate in the demonstration project may receive appropriate preventive health and family planning services, including:

- (1) medical history recording and evaluation;
- (2) physical examinations;
- (3) health screenings, including screening for:
 - (A) diabetes;
 - (B) cervical cancer;
 - (C) breast cancer;
 - (D) sexually transmitted diseases;
 - (E) hypertension;
 - (F) cholesterol; and
 - (G) tuberculosis;

(4) counseling and education on contraceptive methods emphasizing the health benefits of abstinence from sexual activity

1 to recipients who are not married, except for counseling and
2 education regarding emergency contraception;

3 (5) provision of contraceptives, except for the
4 provision of emergency contraception;

5 (6) risk assessment; and

6 (7) referral of medical problems to appropriate
7 providers that are entities or organizations that do not perform or
8 promote elective abortions or contract or affiliate with entities
9 that perform or promote elective abortions.

10 (b) A woman is eligible to participate in the demonstration
11 project if the woman [~~is at least 18 years of age and~~]:

12 (1) is at least 18 years of age and has a net family
13 income that is at or below 185 percent of the federal poverty level;

14 (2) is at least 18 years of age and participates in or
15 receives benefits under any of the following:

16 (A) the medical assistance program;

17 (B) the financial assistance program under
18 Chapter 31;

19 (C) the nutritional assistance program under
20 Chapter 33;

21 (D) the Supplemental Food Program for Women,
22 Infants and Children; or

23 (E) another program administered by the state
24 that:

25 (i) requires documentation of income; and

26 (ii) restricts eligibility to persons with
27 income equal to or less than the income eligibility guidelines

1 applicable to the medical assistance program;

2 (3) is at least 18 years of age and is presumed
3 eligible for one of the programs listed in Subdivision (2) pending
4 completion of that program's eligibility process; ~~[or]~~

5 (4) is at least 18 years of age and is a member of a
6 family that contains at least one person who participates in or
7 receives benefits under one of the programs listed in Subdivision
8 (2); or

9 (5) is not pregnant but, if she were to become
10 pregnant, would have a net family income on the birth of the child
11 that is at or below 185 percent of the federal poverty level.

12 (g) Not later than December 1 of each even-numbered year,
13 the department shall submit a report to the legislature regarding
14 the department's operation of ~~[progress in establishing and~~
15 ~~operating]~~ the demonstration project.

16 (i) This section expires September 1, 2021 ~~[2011]~~.

17 SECTION 2. The change in law made by this Act applies to a
18 person who receives medical assistance under Chapter 32, Human
19 Resources Code, on or after the effective date of this Act,
20 regardless of the date on which eligibility for the medical
21 assistance was determined.

22 SECTION 3. If before implementing Section 32.0248, Human
23 Resources Code, as amended by this Act, a state agency determines
24 that an amendment to the existing waiver or other authorization is
25 necessary to extend the operation of and expand eligibility for the
26 demonstration project under that section as amended, the agency
27 affected by the provision shall request the amendment to the waiver

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1 or other authorization and may delay implementing that section
2 until the amendment or other authorization is granted.

3 SECTION 4. This Act takes effect August 31, 2011.