

AN ACT

relating to determining eligibility for indigent health care.

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

SECTION 1. Subsection (d), Section 61.006, Health and Safety Code, is amended to read as follows:

(d) The department shall establish application, documentation, and verification procedures that are consistent with the analogous procedures used to determine eligibility in the Temporary Assistance for Needy Families-Medicaid program. Except as provided by Section 61.008(a)(6), the ~~[The]~~ department may not adopt a standard or procedure that is more restrictive than the Temporary Assistance for Needy Families-Medicaid program or procedures.

SECTION 2. Section 61.008, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The department by rule shall provide that in determining eligibility:

(1) a county may not consider the value of the applicant's homestead;

(2) a county must consider the equity value of a car that is in excess of the amount exempted under department guidelines as a resource;

(3) a county must subtract the work-related and child

1 care expense allowance allowed under department guidelines;

2 (4) a county must consider as a resource real property
3 other than a homestead and, except as provided by Subsection (b),
4 must count that property in determining eligibility; ~~and~~

5 (5) if an applicant transferred title to real property
6 for less than market value to become eligible for assistance under
7 this chapter, the county may not credit toward eligibility for
8 state assistance an expenditure for that applicant made during a
9 two-year period beginning on the date on which the property is
10 transferred; and

11 (6) if an applicant is a sponsored alien, a county may
12 include in the income and resources of the applicant:

13 (A) the income and resources of a person who
14 executed an affidavit of support on behalf of the applicant; and

15 (B) the income and resources of the spouse of a
16 person who executed an affidavit of support on behalf of the
17 applicant, if applicable.

18 (c) In this section, "sponsored alien" means a person who
19 has been lawfully admitted to the United States for permanent
20 residence under the Immigration and Nationality Act (8 U.S.C.
21 Section 1101 et seq.) and who, as a condition of admission, was
22 sponsored by a person who executed an affidavit of support on behalf
23 of the person.

24 SECTION 3. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

1 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 420 passed the Senate on April 7, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 420 passed the House on May 17, 2011, by the following vote: Yeas 102, Nays 40, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor