

By: Deuell

S.B. No. 420

A BILL TO BE ENTITLED

AN ACT

relating to determining eligibility for indigent health care.

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

SECTION 1. Section 61.006(d), 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, 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 care expense allowance allowed under department guidelines;

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

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

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

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

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

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

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2011.