

1-1 By: Deuell S.B. No. 420
1-2 (In the Senate - Filed January 26, 2011; February 2, 2011,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 28, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 March 28, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 420 By: Deuell

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to determining eligibility for indigent health care.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subsection (d), Section 61.006, Health and
1-13 Safety Code, is amended to read as follows:

1-14 (d) The department shall establish application,
1-15 documentation, and verification procedures that are consistent
1-16 with the analogous procedures used to determine eligibility in the
1-17 Temporary Assistance for Needy Families-Medicaid program. Except
1-18 as provided by Section 61.008(a)(6), the [The] department may not
1-19 adopt a standard or procedure that is more restrictive than the
1-20 Temporary Assistance for Needy Families-Medicaid program or
1-21 procedures.

1-22 SECTION 2. Section 61.008, Health and Safety Code, is
1-23 amended by amending Subsection (a) and adding Subsection (c) to
1-24 read as follows:

1-25 (a) The department by rule shall provide that in determining
1-26 eligibility:

1-27 (1) a county may not consider the value of the
1-28 applicant's homestead;

1-29 (2) a county must consider the equity value of a car
1-30 that is in excess of the amount exempted under department
1-31 guidelines as a resource;

1-32 (3) a county must subtract the work-related and child
1-33 care expense allowance allowed under department guidelines;

1-34 (4) a county must consider as a resource real property
1-35 other than a homestead and, except as provided by Subsection (b),
1-36 must count that property in determining eligibility; ~~and~~

1-37 (5) if an applicant transferred title to real property
1-38 for less than market value to become eligible for assistance under
1-39 this chapter, the county may not credit toward eligibility for
1-40 state assistance an expenditure for that applicant made during a
1-41 two-year period beginning on the date on which the property is
1-42 transferred; and

1-43 (6) if an applicant is a sponsored alien, a county may
1-44 include in the income and resources of the applicant:

1-45 (A) the income and resources of a person who
1-46 executed an affidavit of support on behalf of the applicant; and

1-47 (B) the income and resources of the spouse of a
1-48 person who executed an affidavit of support on behalf of the
1-49 applicant, if applicable.

1-50 (c) In this section, "sponsored alien" means a person who
1-51 has been lawfully admitted to the United States for permanent
1-52 residence under the Immigration and Nationality Act (8 U.S.C.
1-53 Section 1101 et seq.) and who, as a condition of admission, was
1-54 sponsored by a person who executed an affidavit of support on behalf
1-55 of the person.

1-56 SECTION 3. This Act takes effect immediately if it receives
1-57 a vote of two-thirds of all the members elected to each house, as
1-58 provided by Section 39, Article III, Texas Constitution. If this
1-59 Act does not receive the vote necessary for immediate effect, this
1-60 Act takes effect September 1, 2011.

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