

By: Turner of Harris

H.B. No. 39

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the expansion of eligibility for medical assistance to
3 certain persons under the federal Patient Protection and Affordable
4 Care Act.

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

6 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,
7 is amended by adding Section 32.02472 to read as follows:

8 Sec. 32.02472. EXPANDED ELIGIBILITY FOR MEDICAL ASSISTANCE
9 UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT. (a)
10 Notwithstanding any other law, the department shall provide medical
11 assistance to all persons who apply for that assistance and for whom
12 federal matching funds are available under the Patient Protection
13 and Affordable Care Act (Pub. L. No. 111-148) as amended by the
14 Health Care and Education Reconciliation Act of 2010 (Pub. L. No.
15 111-152) to provide that assistance.

16 (b) The executive commissioner of the Health and Human
17 Services Commission shall adopt rules regarding the provision of
18 medical assistance as required by this section.

19 SECTION 2. The change in law made by this Act applies only
20 to an initial determination or recertification of eligibility of a
21 person for medical assistance under Chapter 32, Human Resources
22 Code, made on or after January 1, 2014, regardless of the date the
23 person applied for that assistance.

24 SECTION 3. As soon as possible after the effective date of

1 this Act, the executive commissioner of the Health and Human
2 Services Commission shall take all necessary actions to expand
3 eligibility for medical assistance under Chapter 32, Human
4 Resources Code, in accordance with Section 32.02472, Human
5 Resources Code, as added by this Act, including notifying
6 appropriate federal agencies of that expanded eligibility. If
7 before implementing any provision of this Act a state agency
8 determines that any other waiver or authorization from a federal
9 agency is necessary for implementation of that provision, the
10 agency affected by the provision shall request the waiver or
11 authorization and may delay implementing that provision until the
12 waiver or authorization is granted.

13 SECTION 4. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect on the 91st day after the last day of the
18 legislative session.