

By: Johnson

H.B. No. 1001

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the expansion of eligibility for Medicaid in certain
3 counties under the federal Patient Protection and Affordable Care
4 Act.

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

6 SECTION 1. Subtitle I, Title 4, Government Code, is amended
7 by adding Chapter 538 to read as follows:

8 CHAPTER 538. WAIVER TO EXPAND MEDICAID IN CERTAIN COUNTIES

9 Sec. 538.001. APPLICABILITY OF CHAPTER. This chapter
10 applies only to a county:

11 (1) that has a population of 2.2 million or more and is
12 adjacent to a county with a population of more than 600,000; and

13 (2) in which more than 5,000 physicians are practicing
14 medicine.

15 Sec. 538.002. DEFINITION. In this chapter, "Medicaid"
16 means the medical assistance program established under Title XIX,
17 Social Security Act (42 U.S.C. Section 1396 et seq.).

18 Sec. 538.003. FEDERAL AUTHORIZATION FOR MEDICAID EXPANSION
19 IN CERTAIN COUNTIES. (a) On the request of a county to which this
20 chapter applies, the executive commissioner shall, on behalf of the
21 county, seek a waiver under Section 1115 of the federal Social
22 Security Act (42 U.S.C. Section 1315) to the state Medicaid plan to
23 expand the categories of persons eligible for Medicaid benefits by
24 allowing the county to provide Medicaid benefits to any resident of

1 the county:

2 (1) who is not otherwise eligible to receive Medicaid
3 benefits under the program established under Chapter 32, Human
4 Resources Code, and operated by the state, including through a
5 waiver, other than one granted under this section, to the program;

6 (2) who applies to receive Medicaid benefits; and

7 (3) for whom federal matching funds are available
8 under the Patient Protection and Affordable Care Act (Pub. L. No.
9 111-148) as amended by the Health Care and Education Reconciliation
10 Act of 2010 (Pub. L. No. 111-152) to provide Medicaid benefits.

11 (b) The terms of a waiver under this section must:

12 (1) specify how, and with the assistance of what
13 entities, the county will implement and operate a delivery system
14 for the provision of Medicaid benefits to persons described by
15 Subsection (a);

16 (2) specify the role of the commission in facilitating
17 the provision of those Medicaid benefits;

18 (3) identify the sources of funds to be used to pay the
19 state's share of the cost of Medicaid benefits provided by the
20 county;

21 (4) establish qualifications for a person to be
22 considered a resident of the county for purposes of receiving
23 Medicaid benefits from the county; and

24 (5) if appropriate, prescribe changes to the
25 commission's eligibility determination process for Medicaid
26 benefits to accommodate the expanded categories of persons eligible
27 to receive Medicaid benefits from the county.

1 (c) The executive commissioner shall adopt rules necessary
2 to implement this section.

3 SECTION 2. Not later than December 1, 2013, the executive
4 commissioner of the Health and Human Services Commission shall
5 adopt rules necessary to implement Section 538.003, Government
6 Code, as added by this Act, including rules that specify procedures
7 by which a county may request that the commission seek a waiver
8 under that section.

9 SECTION 3. This Act takes effect September 1, 2013.