

By: Cortez

H.B. No. 2070

A BILL TO BE ENTITLED

AN ACT

relating to the period of continuous eligibility for the medical assistance program for certain persons.

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

SECTION 1. Section 32.0261, Human Resources Code, is amended to read as follows:

Sec. 32.0261. CONTINUOUS ELIGIBILITY: CHILDREN. The executive commissioner of the Health and Human Services Commission [~~department~~] shall adopt rules in accordance with applicable federal law, including 42 U.S.C. Section 1396a [~~1396a(e)(12), as amended~~], to provide for a period of continuous eligibility for a child under 19 years of age who is determined to be eligible for medical assistance under this chapter. The rules shall provide that the child remains eligible for medical assistance, without additional review by the department and regardless of changes in the child's resources or income, until the earlier of:

(1) the first anniversary of [~~end of the six-month period following~~] the date on which the child's eligibility was determined or redetermined; or

(2) the child's 19th birthday.

SECTION 2. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02612 to read as follows:

Sec. 32.02612. CONTINUOUS ELIGIBILITY: SENIOR CITIZENS.

The executive commissioner of the Health and Human Services

1 Commission shall adopt rules in accordance with applicable federal
2 law, including 42 U.S.C. Section 1396a, to provide for a period of
3 continuous eligibility for a person 65 years of age or older who is
4 determined to be eligible for medical assistance under this
5 chapter. The rules must provide that the person remains eligible
6 for medical assistance, without additional review by the department
7 and regardless of changes in the person's resources or income,
8 until the first anniversary of the date on which the person's
9 eligibility was determined or redetermined.

10 SECTION 3. If before implementing any provision of this Act
11 a state agency determines that a waiver or authorization from a
12 federal agency is necessary for implementation of that provision,
13 the agency affected by the provision shall request the waiver or
14 authorization and may delay implementing that provision until the
15 waiver or authorization is granted.

16 SECTION 4. This Act takes effect September 1, 2013.