

Amend **HB 839** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 62, Health and Safety Code, is amended by adding Sections 62.106 and 62.107 to read as follows:

Sec. 62.106. SUSPENSION AND AUTOMATIC REINSTATEMENT OF ELIGIBILITY FOR CHILDREN IN JUVENILE FACILITIES. (a) In this section, "juvenile facility" means a facility for the placement, detention, or commitment of a child under Title 3, Family Code.

(b) To the extent allowed under federal law, if a child is confined in a juvenile facility, the commission shall suspend the child's eligibility for health benefits coverage under the child health plan during the period the child is confined in the facility.

(c) Not later than 48 hours after the commission is notified of the release from a juvenile facility of a child whose eligibility for health benefits coverage under the child health plan has been suspended under this section, the commission shall reinstate the child's eligibility, provided the child's eligibility certification period has not elapsed. Following the reinstatement, the child remains eligible until the expiration of the period for which the child was certified as eligible.

Sec. 62.107. NOTICE OF CERTAIN CONFINEMENTS IN JUVENILE FACILITIES. (a) In this section, "juvenile facility" has the meaning assigned by Section 62.106.

(b) A juvenile facility may notify the commission on the confinement in the facility of a child who is enrolled in the child health plan.

(c) If a juvenile facility chooses to provide the notice described by Subsection (b), the facility shall provide the notice electronically or by other appropriate means as soon as possible, but not later than the 30th day, after the date of the child's confinement.

(d) A juvenile facility may notify the commission of the release of a child who, immediately before the child's confinement in the facility, was enrolled in the child health plan.

(e) If a juvenile facility chooses to provide the notice

described by Subsection (d), the facility shall provide the notice electronically or by other appropriate means not later than 48 hours after the child's release from the facility.

(f) If a juvenile facility chooses to provide the notice described by Subsection (d), at the time of the child's release, the facility shall provide the child with a written copy of the notice and a telephone number at which the child's parent or legal guardian may contact the commission regarding confirmation of or assistance relating to reinstatement of the child's eligibility for health benefits coverage under the child health plan, if applicable.

(g) The commission shall establish a means by which a juvenile facility, or an employee of the facility, may determine whether a child confined in the facility is or was, as appropriate, enrolled in the child health plan for purposes of this section.

(h) A juvenile facility, or an employee of the facility, is not liable in a civil action for damages resulting from a failure to comply with this section.

SECTION \_\_\_\_\_. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Sections 32.0264 and 32.0265 to read as follows:

Sec. 32.0264. SUSPENSION AND AUTOMATIC REINSTATEMENT OF ELIGIBILITY FOR CHILDREN IN JUVENILE FACILITIES. (a) In this section, "juvenile facility" means a facility for the placement, detention, or commitment of a child under Title 3, Family Code.

(b) If a child is confined in a juvenile facility, the commission shall suspend the child's eligibility for medical assistance during the period the child is confined in the facility.

(c) Not later than 48 hours after the commission is notified of the release from a juvenile facility of a child whose eligibility for medical assistance has been suspended under this section, the commission shall reinstate the child's eligibility, provided the child's eligibility certification period has not elapsed. Following the reinstatement, the child remains eligible until the expiration of the period for which the child was certified as eligible.

Sec. 32.0265. NOTICE OF CERTAIN CONFINEMENTS IN JUVENILE FACILITIES. (a) In this section, "juvenile facility" has the

meaning assigned by Section 32.0264.

(b) A juvenile facility may notify the commission on the confinement in the facility of a child who is receiving medical assistance benefits.

(c) If a juvenile facility chooses to provide the notice described by Subsection (b), the facility shall provide the notice electronically or by other appropriate means as soon as possible, but not later than the 30th day, after the date of the child's confinement.

(d) A juvenile facility may notify the commission of the release of a child who, immediately before the child's confinement in the facility, was receiving medical assistance benefits.

(e) If a juvenile facility chooses to provide the notice described by Subsection (d), the facility shall provide the notice electronically or by other appropriate means not later than 48 hours after the child's release from the facility.

(f) If a juvenile facility chooses to provide the notice described by Subsection (d), at the time of the child's release, the facility shall provide the child with a written copy of the notice and a telephone number at which the child's parent or legal guardian may contact the commission regarding confirmation of or assistance relating to reinstatement of the child's eligibility for medical assistance benefits, if applicable.

(g) The commission shall establish a means by which a juvenile facility, or an employee of the facility, may determine whether a child confined in the facility is or was, as appropriate, receiving medical assistance benefits for purposes of this section.

(h) A juvenile facility, or an employee of the facility, is not liable in a civil action for damages resulting from a failure to comply with this section.

SECTION \_\_\_\_\_. Sections 62.106(b) and 62.107(b), Health and Safety Code, as added by this Act, and Sections 32.0264(b) and 32.0265(b), Human Resources Code, as added by this Act, apply to a child whose period of confinement in a juvenile facility begins on or after the effective date of this Act, regardless of the date the child was determined eligible for child health plan coverage under Chapter 62, Health and Safety Code, or medical assistance under

Chapter 32, Human Resources Code.

SECTION \_\_\_\_\_. Sections 62.106(c) and 62.107(d), Health and Safety Code, as added by this Act, and Sections 32.0264(c) and 32.0265(d), Human Resources Code, as added by this Act, apply to the release of a child from a juvenile facility that occurs on or after the effective date of this Act, regardless of the date the child was initially confined in the facility.