

Amend SB 200 (house committee report) in ARTICLE 2 by adding the following appropriately numbered SECTION and renumbering the subsequent SECTIONS accordingly:

SECTION _____. (a) The Health and Human Services Commission shall negotiate with the appropriate federal entity for authorization to develop a state health benefit exchange. The negotiated authorization must allow the state health benefit exchange to be flexible, patient-friendly, tailored to the needs of the state, and similar to the health benefit exchange described in the Patient Protection and Affordable Care Act (Pub. L. No. 111-148).

(b) If the appropriate federal entity authorizes a state health benefit exchange described in Subsection (a) of this section, the Health and Human Services Commission shall develop and implement the health benefit exchange.

(c) This section takes effect on the 91st day after the date of publication in the Texas Register by the attorney general of a finding that federal tax-credit subsidies do not extend to health insurance coverage purchased through a health insurance exchange established or operated by the federal government under Section 1321, Patient Protection and Affordable Care Act (42 U.S.C. Section 18041).

(d) The attorney general shall monitor federal constitutional law and federal court cases related to the extension of federal tax-credit subsidies to health insurance coverage purchased through a health insurance exchange established or operated by the federal government under Section 1321, Patient Protection and Affordable Care Act (42 U.S.C. Section 18041). The attorney general may make the finding described by Subsection (c) of this section at any time the attorney general determines the finding is warranted and shall make the finding not later than the 60th day after the date of issuance of a United States Supreme Court action under which the finding is required.