



15 MAY 2011 9:45

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend S.B. No. 200 (house committee report) in ARTICLE 2 by
2 adding the following appropriately numbered SECTION and
3 renumbering the subsequent SECTIONS accordingly:

4 SECTION _____. (a) The Health and Human Services Commission
5 shall negotiate with the appropriate federal entity for
6 authorization to develop a state health benefit exchange. The
7 negotiated authorization must allow the state health benefit
8 exchange to be flexible, patient-friendly, tailored to the needs of
9 the state, and similar to the health benefit exchange described in
10 the Patient Protection and Affordable Care Act (Pub. L. No.
11 111-148).

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

16 (c) This section takes effect on the 91st day after the date
17 of publication in the Texas Register by the attorney general of a
18 finding that federal tax-credit subsidies do not extend to health
19 insurance coverage purchased through a health insurance exchange
20 established or operated by the federal government under Section
21 1321, Patient Protection and Affordable Care Act (42 U.S.C. Section
22 18041).

23 (d) The attorney general shall monitor federal
24 constitutional law and federal court cases related to the extension
25 of federal tax-credit subsidies to health insurance coverage
26 purchased through a health insurance exchange established or
27 operated by the federal government under Section 1321, Patient
28 Protection and Affordable Care Act (42 U.S.C. Section 18041). The
29 attorney general may make the finding described by Subsection (c)

1 of this section at any time the attorney general determines the
2 finding is warranted and shall make the finding not later than the
3 60th day after the date of issuance of a United States Supreme Court
4 action under which the finding is required.