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By:  Ortega H.B. No. 1589

A BILL TO BE ENTITLED

AN ACT

relating to providing notification to certain pregnant women regarding their eligibility for coverage under Medicaid and the Healthy Texas Women program.

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

SECTION 1.  Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0995 to read as follows:

Sec. 531.0995.  NOTIFICATION OF POTENTIAL AUTOMATIC ENROLLMENT IN THE HEALTHY TEXAS WOMEN PROGRAM. (a) In this section, "Healthy Texas Women program" means a program operated by the commission that is substantially similar to the demonstration project operated under former Section 32.0248, Human Resources Code, and that is intended to expand access to preventive health and family planning services for women in this state.

(b)  Subject to Subsection (c), the executive commissioner shall adopt rules requiring the commission to provide to a woman who is a recipient of Medicaid during her pregnancy written notice that:

(1)  the woman has continuous coverage under Medicaid through the second month after the pregnancy ends;

(2)  if appropriate, the woman's eligibility for enrollment in the Healthy Texas Women program will be determined approximately 30 days after the date the woman's pregnancy ends; and

(3)  if the woman is determined eligible for the Healthy Texas Women program:

(A)  she will be automatically enrolled in the program; and

(B)  her coverage under the program begins on the first day following the date her Medicaid coverage ends.

(c)  The executive commissioner shall consult with the Maternal Mortality and Morbidity Task Force established under Chapter 34, Health and Safety Code, to determine when and the manner by which the notice required under Subsection (b) should be provided to women. If feasible, the commission shall provide the notice to a woman before the third trimester of her pregnancy. This subsection expires January 1, 2020.

SECTION 2.  Not later than January 1, 2020, the executive commissioner of the Health and Human Services Commission shall adopt rules required by Section 531.0995, Government Code, as added by this Act.

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

SECTION 4.  This Act takes effect September 1, 2019.