

By: Beckley

H.B. No. 2313

A BILL TO BE ENTITLED

AN ACT

relating to a Medicaid buy-in program for employees of small businesses.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.024442 to read as follows:

Sec. 531.024442. MEDICAID BUY-IN PROGRAM FOR EMPLOYEES OF SMALL BUSINESSES. (a) In this section:

(1) "Program participant" means an employee of a small business who receives health care services under Medicaid through the buy-in program established under this section.

(2) "Small business" means a business with an annual gross revenue of \$850,000 or less.

(b) The commission shall operate a Medicaid buy-in program under which a person who is an employee of a small business may receive health care services under Medicaid. The executive commissioner shall adopt rules for the program that:

(1) establish eligibility requirements for participation in the program, including household income limits, that ensure receipt of federal matching money for providing health care services under Medicaid to a program participant;

(2) require financial participation by the program participant, including a requirement that the program participant pay, according to a sliding scale based on household income

1 determined in accordance with commission rules, a portion of any
2 premiums imposed or cost-sharing payments required under the
3 program; and

4 (3) require financial participation by a small
5 business that employs a program participant, including a
6 requirement that the small business pay a portion of any premiums
7 imposed or cost-sharing payments required under the program, in
8 amounts determined in accordance with commission rules.

9 (c) The executive commissioner shall ensure that the rules
10 adopted under Subsection (b) regarding the financial participation
11 required of a small business are not cost prohibitive to
12 participation by a small business in the program.

13 (d) The program under this section must be substantively
14 identical to the Medicaid buy-in programs for persons with
15 disabilities established under Section [531.02444](#), except to the
16 extent that programmatic differences are appropriate because of the
17 populations served by the programs.

18 (e) The commission shall prepare and make available to small
19 businesses information concerning the availability of and
20 application process for the program under this section. A small
21 business may provide that information to its employees and
22 prospective employees.

23 SECTION 2. Not later than January 1, 2020, the executive
24 commissioner of the Health and Human Services Commission shall
25 adopt the rules required by Section 531.024442, Government Code, as
26 added by this Act, and the commission shall implement the program
27 required by that section.

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

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