

By: Klick

H.B. No. 4138

A BILL TO BE ENTITLED

AN ACT

relating to the process for determining the Medicaid eligibility of certain former foster care youth.

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

SECTION 1. Sections 32.0247(e) and (f), Human Resources Code, are amended to read as follows:

(e) The Department of Family and Protective Services shall certify the income, assets, or resources of each individual on the date the individual exits substitute care. An individual qualifying for medical assistance as established by this section shall remain eligible for the maximum period permitted under federal law before any ~~[12 calendar months after certification and after each]~~ recertification is required.

(f) If recertification is required, the ~~[The]~~ recertification process for individuals who are eligible for medical assistance under this section must:

(1) comply with Section 32.02472; and

(2) [shall] include the option of recertifying online or by mail or phone.

SECTION 2. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02472 to read as follows:

Sec. 32.02472. STREAMLINED ELIGIBILITY DETERMINATION PROCESS FOR CERTAIN FORMER FOSTER CARE YOUTH. (a) This section applies to a former foster care youth who is eligible for Medicaid

1 under Section 1902(a)(10)(A)(i)(IX), Social Security Act (42
2 U.S.C. Section 1396a(a)(10)(A)(i)(IX)), or any other law.

3 (b) The commission, in consultation with the Department of
4 Family and Protective Services, shall design and implement a
5 streamlined process for determining a former foster care youth's
6 eligibility for Medicaid. The streamlined process must:

7 (1) provide for the automatic enrollment and
8 recertification of a former foster care youth in the STAR Health
9 program, the STAR Medicaid managed care program, or another
10 Medicaid program, as appropriate;

11 (2) be designed to prevent any unnecessary
12 interruption of the youth's Medicaid benefits, including any
13 interruption related to having to recertify the youth for benefits;
14 and

15 (3) if necessary, use a simple application and
16 recertification process that may not require that a youth
17 self-attest or prove that the youth is a resident of this state
18 unless the commission determines that the youth is receiving
19 Medicaid benefits outside of this state.

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

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