

By: Collier

H.B. No. 4596

A BILL TO BE ENTITLED

AN ACT

relating to ensuring the continued provision of benefits under Medicaid and the supplemental nutrition assistance program for the children of individuals confined in a penal or correctional institution.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.0267 to read as follows:

Sec. 32.0267. BENEFITS FOR CHILDREN OF CERTAIN INDIVIDUALS CONFINED IN PENAL OR CORRECTIONAL INSTITUTION. (a) This section applies to a child who is a Medicaid recipient.

(b) The commission shall ensure that the child of an individual who is confined in a penal or correctional institution, including a county jail in this state or a federal correctional institution, will continue to receive benefits under Medicaid without interruption due to the parent's confinement.

(c) The executive commissioner shall adopt rules necessary to implement this section, including rules designed to ensure that at the time for recertifying the child's eligibility for Medicaid benefits, a process is implemented to ensure the parent's confinement does not impede or delay the child's recertification if the child is otherwise eligible for the benefits.

SECTION 2. Subchapter A, Chapter 33, Human Resources Code, is amended by adding Section 33.0181 to read as follows:

1       Sec. 33.0181. BENEFITS FOR CHILDREN OF CERTAIN INDIVIDUALS  
2 CONFINED IN PENAL OR CORRECTIONAL INSTITUTION. (a) This section  
3 applies to a child who is receiving benefits under the supplemental  
4 nutrition assistance program.

5       (b) The commission shall ensure that the child of an  
6 individual who is confined in a penal or correctional institution,  
7 including a county jail in this state or a federal correctional  
8 institution, will continue to receive benefits under the  
9 supplemental nutrition assistance program without interruption due  
10 to the parent's confinement.

11       (c) The executive commissioner shall adopt rules necessary  
12 to implement this section, including rules designed to ensure that  
13 at the time for recertifying the child's eligibility for benefits  
14 under the supplemental nutrition assistance program, a process is  
15 implemented to ensure the parent's confinement does not impede or  
16 delay the child's recertification if the child is otherwise  
17 eligible for the benefits.

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

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