

By: Lopez

H.B. No. 4757

A BILL TO BE ENTITLED

AN ACT

relating to the provision of Medicaid benefits to certain former foster care youth.

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 32.02473 to read as follows:

Sec. 32.02473. MEDICAL ASSISTANCE FOR CERTAIN FORMER FOSTER CARE YOUTH. (a) Notwithstanding Sections 32.0247 and 32.02471, the commission shall provide medical assistance to a former foster care youth regardless of the youth's income, assets, or resources if the youth:

(1) is younger than 26 years of age; and

(2) was in foster care, including in the conservatorship of the Department of Family and Protective Services, and receiving medical assistance at the time the youth, because of the youth's age, transitioned out of foster care, including a youth who was in foster care in another state or territory.

(b) The executive commissioner shall adopt rules necessary to implement this section.

SECTION 2. As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall apply for and actively pursue a waiver under Section 1115 of the federal Social Security Act (42 U.S.C.

1 Section 1315) to the state Medicaid plan from the federal Centers
2 for Medicare and Medicaid Services or any other federal agency to
3 implement Section 32.02473, Human Resources Code, as added by this
4 Act. The commission may delay implementing Section 32.02473, Human
5 Resources Code, as added by this Act, until the waiver applied for
6 under this section is granted.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2019.