

BILL ANALYSIS

H.B. 1664
By: White
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

While federal Medicaid regulations generally prohibit incarcerated individuals from receiving coverage, there is an inpatient exception under which an inmate's inpatient stay at a qualifying medical institution may be covered by Medicaid. Under this exception, the state has used Medicaid dollars to pay for inpatient stays for pregnant women and children in the care of the Texas Department of Criminal Justice. However, the state Medicaid plan does not currently allow Medicaid dollars to be used to pay for inpatient stays for juveniles placed in a juvenile facility. H.B. 1664 seeks to remedy this issue and save taxpayer dollars by requiring that Medicaid coverage be reinstated for a child in a juvenile facility during an inpatient stay at a medical facility.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

ANALYSIS

H.B. 1664 amends the Human Resources Code to require the Health and Human Services Commission (HHSC) to reinstate the Medicaid eligibility of a child who, while in a juvenile facility, is hospitalized or becomes an inpatient in another type of medical facility during the period of the child's inpatient stay. The bill requires the executive commissioner of HHSC to adopt rules necessary to implement the bill's provisions, including rules governing the procedure for reinstating a child's Medicaid eligibility.

EFFECTIVE DATE

September 1, 2021.