

AN ACT

relating to the provision of certain benefits under Medicaid and the Healthy Texas Women program, including the transition of case management for children and pregnant women program services and Healthy Texas Women program services to a managed care program.

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

SECTION 1. Subchapter A, Chapter 533, Government Code, is amended by adding Section 533.002555 to read as follows:

Sec. 533.002555. TRANSITION OF CASE MANAGEMENT FOR CHILDREN AND PREGNANT WOMEN PROGRAM RECIPIENTS TO MANAGED CARE PROGRAM. (a) In this section, "children and pregnant women program" means the benefits program provided under Medicaid and administered by the Department of State Health Services that provides case management services to children who have a health condition or health risk and pregnant women who have a high-risk condition.

(b) The commission shall transition to a Medicaid managed care model all case management services provided to recipients under the children and pregnant women program. In transitioning services under this section, the commission shall ensure a recipient is provided case management services through the managed care plan in which the recipient is enrolled.

(c) In implementing this section, the commission shall ensure:

(1) a seamless transition in case management for

1 recipients receiving benefits under the children and pregnant women  
2 program; and

3 (2) case management services provided under the  
4 program are not interrupted.

5 SECTION 2. Subchapter F, Chapter 32, Health and Safety  
6 Code, is amended by amending Section 32.152 and adding Sections  
7 32.156 and 32.157 to read as follows:

8 Sec. 32.152. ~~[ASSESSING]~~ PROVISION OF HEALTHY TEXAS WOMEN  
9 PROGRAM SERVICES THROUGH MANAGED CARE. (a) The commission shall  
10 contract ~~[assess:~~

11 ~~[(1) the feasibility and cost-effectiveness of~~  
12 ~~contracting]~~ with Medicaid managed care organizations to provide  
13 Healthy Texas Women program services ~~[through managed care in one~~  
14 ~~or more health care service regions in this state if the Healthy~~  
15 ~~Texas Women Section 1115 Demonstration Waiver is approved; and~~

16 ~~[(2) the potential impact of that delivery model on~~  
17 ~~women receiving services under the program].~~

18 (b) In implementing this section, the commission shall:

19 (1) consult with the state Medicaid managed care  
20 advisory committee before contracting with Medicaid managed care  
21 organizations to provide Healthy Texas Women program services under  
22 this section;

23 (2) identify barriers that prevent women from  
24 obtaining Healthy Texas Women program services and seek  
25 opportunities to mitigate those barriers; and

26 (3) designate Healthy Texas Women program service  
27 providers as significant traditional providers until at least the

1 third anniversary of the date the commission initially contracts  
2 with Medicaid managed care organizations to provide program  
3 services. [~~This section expires September 1, 2021.~~]

4 Sec. 32.156. INFORMATION ABOUT AVAILABILITY OF SUBSIDIZED  
5 HEALTH INSURANCE COVERAGE. (a) The commission and each managed  
6 care organization participating in the Healthy Texas Women program  
7 shall provide a written notice containing information about  
8 eligibility requirements for and enrollment in a health benefit  
9 plan for which an enrollee receives a premium subsidy under the  
10 Patient Protection and Affordable Care Act (Pub. L. No. 111-148),  
11 based on family income, to a woman who:

12 (1) is enrolled in the Healthy Texas Women program;  
13 and

14 (2) has a household income that is more than 100  
15 percent but not more than 200 percent of the federal poverty level.

16 (b) The commission, in consultation with the Texas  
17 Department of Insurance, shall develop the form and content of the  
18 notice required under this section. The notice must include:

19 (1) the latest information written in clear and easily  
20 understood language on available options for obtaining a subsidized  
21 health benefit plan described by Subsection (a); and

22 (2) resources for receiving assistance applying for  
23 and enrolling in that health benefit plan.

24 Sec. 32.157. ASSESSING AUTOMATIC ENROLLMENT OF CERTAIN  
25 WOMEN IN MANAGED CARE. (a) Not later than January 1, 2023, the  
26 commission shall assess the feasibility, cost-effectiveness, and  
27 benefits of automatically enrolling in managed care the women who

1 become pregnant while receiving services through the Healthy Texas  
2 Women program. The assessment must examine whether automatically  
3 enrolling those women leads to the delivery of prenatal care and  
4 services earlier in the women's pregnancies.

5 (b) This section expires September 1, 2023.

6 SECTION 3. Section 32.024, Human Resources Code, is amended  
7 by adding Subsection (1-1) to read as follows:

8 (1-1) The commission shall continue to provide medical  
9 assistance to a woman who is eligible for medical assistance for  
10 pregnant women for a period of not less than six months following  
11 the date the woman delivers or experiences an involuntary  
12 miscarriage.

13 SECTION 4. As soon as practicable after the effective date  
14 of this Act, the executive commissioner of the Health and Human  
15 Services Commission shall adopt rules necessary to implement the  
16 changes in law made by this Act.

17 SECTION 5. If before implementing any provision of this Act  
18 a state agency determines that a waiver or authorization from a  
19 federal agency is necessary for implementation of that provision,  
20 the agency affected by the provision shall request the waiver or  
21 authorization and may delay implementing that provision until the  
22 waiver or authorization is granted.

23 SECTION 6. The Health and Human Services Commission is  
24 required to implement a provision of this Act only if the  
25 legislature appropriates money specifically for that purpose. If  
26 the legislature does not appropriate money specifically for that  
27 purpose, the Health and Human Services Commission may, but is not

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1 required to, implement a provision of this Act using other  
2 appropriations available for that purpose.

3 SECTION 7. This Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 133 was passed by the House on April 15, 2021, by the following vote: Yeas 121, Nays 24, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 133 on May 28, 2021, by the following vote: Yeas 135, Nays 9, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 133 was passed by the Senate, with amendments, on May 26, 2021, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor