

By: Bernal

H.B. No. 154

A BILL TO BE ENTITLED

AN ACT

relating to establishing a program designed to ensure health benefit plan coverage to certain children through the private marketplace.

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

SECTION 1. Subtitle I, Title 4, Government Code, is amended by adding Chapter 540 to read as follows:

CHAPTER 540. PROGRAM TO ENSURE HEALTH BENEFIT PLAN COVERAGE FOR CERTAIN CHILDREN THROUGH PRIVATE MARKET SOLUTIONS

Sec. 540.0001. PROGRAM FOR HEALTH BENEFIT PLAN COVERAGE FOR CHILDREN THROUGH PRIVATE MARKET SOLUTIONS. The commission in consultation with the commissioner of insurance shall develop and implement a program that helps connect certain children in this state with health benefit plan coverage through private market solutions.

Sec. 540.0002. ENROLLMENT ELIGIBILITY. (a) Subject to Subsection (b), a child is eligible to enroll in a program designed and established under this chapter if the child:

- (1) is younger than 19 years of age;
- (2) is not eligible for benefits under Medicaid or the child health plan program because of applicable income limits; and
- (3) does not have health benefit coverage under a health benefit plan because the child's family does not have access to or cannot afford a plan through the private marketplace,

1 including:

2 (A) an employer-sponsored health benefit plan;

3 or

4 (B) a health benefit plan for which an enrollee
5 receives a premium subsidy under the Patient Protection and
6 Affordable Care Act (Pub. L. No. 111-148) due to the amount of
7 family income.

8 (b) The executive commissioner shall further define the
9 program's eligibility requirements, including defining income
10 requirements necessary to enroll in the program.

11 Sec. 540.0003. MINIMUM PROGRAM REQUIREMENTS. A program
12 designed and established under this chapter must:

13 (1) provide premium assistance to purchase health
14 benefit plan coverage for a child in the private market; and

15 (2) use technology to maximize the efficiency with
16 which the commission and any health benefit plan issuer manages
17 enrollee participation.

18 Sec. 540.0004. RULES. The executive commissioner may adopt
19 rules necessary to implement this chapter.

20 SECTION 2. As soon as practicable after the effective date
21 of this Act, the executive commissioner of the Health and Human
22 Services Commission shall develop and implement the program
23 required by Chapter 540, Government Code, as added by this Act.

24 SECTION 3. If before implementing any provision of this Act
25 a state agency determines that a waiver or authorization from a
26 federal agency is necessary for implementation of that provision,
27 the agency affected by the provision shall request the waiver or

1 authorization and may delay implementing that provision until the
2 waiver or authorization is granted.

3 SECTION 4. This Act takes effect September 1, 2021.