

By: González of Dallas

H.B. No. 734

A BILL TO BE ENTITLED

AN ACT

relating to the Medicaid eligibility of certain persons who are lawfully present in the United States.

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 32.02472 to read as follows:

Sec. 32.02472. ELIGIBILITY OF CERTAIN PERSONS LAWFULLY PRESENT IN THE UNITED STATES. (a) The commission shall provide medical assistance in accordance with 8 U.S.C. Section 1612(b) to a person who:

(1) is a qualified alien, as defined by 8 U.S.C. Sections 1641(b) and (c);

(2) meets the eligibility requirements of the medical assistance program;

(3) entered the United States on or after August 22, 1996; and

(4) has resided in the United States for a period of five years after the date the person entered as a qualified alien.

(b) To the extent allowed by federal law, the commission shall provide medical assistance for pregnant women to a person who is pregnant and is lawfully present, or lawfully residing in the United States as defined by the Centers for Medicare and Medicaid Services, including a battered alien under 8 U.S.C. Section 1641(c), regardless of the date the person entered the United

1 States.

2           SECTION 2. If before implementing any provision of this Act  
3 a state agency determines that a waiver or authorization from a  
4 federal agency is necessary for implementation of that provision,  
5 the agency affected by the provision shall request the waiver or  
6 authorization and may delay implementing that provision until the  
7 waiver or authorization is granted.

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