

AN ACT

relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.

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

SECTION 1. The heading to Section 32.0264, Human Resources Code, is amended to read as follows:

Sec. 32.0264. SUSPENSION AND ~~AUTOMATIC~~ REINSTATEMENT OF ELIGIBILITY FOR CHILDREN IN JUVENILE FACILITIES.

SECTION 2. Section 32.0264, Human Resources Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (b), if, during the period a child is placed in a juvenile facility, the child is hospitalized or becomes an inpatient in another type of medical facility, the commission shall reinstate the child's eligibility for medical assistance during the period of the child's inpatient stay. The executive commissioner shall adopt rules necessary to implement this subsection, including rules governing the procedure for reinstating a child's eligibility for medical assistance under this subsection.

SECTION 3. If before implementing Section 32.0264(b-1), Human Resources Code, as added by this Act, the Health and Human Services Commission determines that a memorandum of understanding between the commission and the Texas Juvenile Justice Department or the adoption of policies or procedures is necessary for

1 implementation of that provision, the commission may delay
2 implementing that provision until the earlier of:

3 (1) the date any necessary memorandum of
4 understanding, policies, and procedures are adopted; or

5 (2) March 1, 2022.

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

12 SECTION 5. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 1664 was passed by the House on May 11, 2021, by the following vote: Yeas 130, Nays 15, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1664 on May 28, 2021, by the following vote: Yeas 128, Nays 16, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1664 was passed by the Senate, with amendments, on May 24, 2021, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor