

By: Bucy

H.B. No. 4310

A BILL TO BE ENTITLED

AN ACT

relating to establishing a nutritional support grant program for certain medically fragile children.

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

SECTION 1. Chapter 33, Human Resources Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. NUTRITIONAL SUPPORT GRANT PROGRAM FOR CERTAIN
MEDICALLY FRAGILE CHILDREN

Sec. 33.101. DEFINITIONS. In this subchapter:

(1) "Grant program" means the nutritional support grant program for medically fragile children established under this subchapter.

(2) "Medically fragile child" means a person younger than 18 years of age who is:

(A) chronically ill or disabled and requires indefinite skilled nursing care to maintain the person's existence in the person's home;

(B) temporarily ill or disabled because of premature birth, accident, or trauma and has experienced a temporary lifestyle change requiring skilled nursing care;

(C) suffering from uncontrollable seizures or other chronic illness; or

(D) chronically dependent on medical devices to perform vital bodily functions.

1 Sec. 33.102. ESTABLISHMENT OF GRANT PROGRAM. The executive
2 commissioner by rule shall develop and implement a grant program to
3 provide financial assistance to the families of medically fragile
4 children who have been diagnosed with a rare or unique disease or
5 medical condition for the purpose of assisting families in paying
6 the costs associated with providing specialized nutritional
7 support for that child.

8 Sec. 33.103. ELIGIBILITY. (a) The executive commissioner
9 by rule shall establish eligibility criteria for awarding grants
10 under the grant program. The criteria must provide that for a person
11 to be eligible for a grant, the person must:

12 (1) be the parent and primary caregiver of a medically
13 fragile child with a rare or unique disease or medical condition
14 that requires specialized nutritional support, including enteral
15 nutrition; and

16 (2) lack or have inadequate health benefit plan
17 coverage to pay the costs associated with providing that support.

18 (b) The executive commissioner by rule shall identify the
19 diagnoses considered rare and unique for purposes of Subsection
20 (a)(1).

21 (c) The executive commissioner may not impose income
22 eligibility requirements under the grant program.

23 Sec. 33.104. AWARD OF GRANTS. (a) The commission may
24 approve grants according to commission rules.

25 (b) A grant awarded under this subchapter is governed by
26 Chapter 783, Government Code, and rules adopted under that chapter.

27 Sec. 33.105. FUNDING. The commission shall award grants as

1 provided by this subchapter from available money and any additional
2 money appropriated for this purpose.

3 Sec. 33.106. GIFTS, GRANTS, AND DONATIONS. The commission
4 may accept gifts, grants, and donations from any source that are
5 made for the purposes of the grant program.

6 SECTION 2. Not later than January 1, 2022, the executive
7 commissioner of the Health and Human Services Commission shall
8 adopt rules necessary to implement Subchapter C, Chapter 33, Human
9 Resources Code, as added by this Act.

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