

By: Eckhardt

S.B. No. 2031

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the permissible uses of funds by a hospital district
3 that receives a mandatory payment under Chapter 298E, Health &
4 Safety Code.

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

6 SECTION 1. Section 298E.103(e), Health and Safety Code, is
7 amended to read as follows:

8 (e) Notwithstanding any other provision of this chapter,
9 with respect to an intergovernmental transfer of funds described by
10 Subsection (c)(1) made by a district, any funds received by the
11 state, district, or other entity as a result of that transfer may
12 not be used by the state, district, or any other entity to:

13 (1) expand Medicaid eligibility under the Patient
14 Protection and Affordable Care Act (Pub. L. No. 111-148) as amended
15 by the Health Care and Education Reconciliation Act of 2010 (Pub. L.
16 No. 111-152); or

17 (2) fund the nonfederal share of payments to hospitals
18 available through [~~the Medicaid disproportionate share hospital~~
19 ~~program or~~] the delivery system reform incentive payment program.

20 SECTION 2. If before implementing any provision of this Act
21 a state agency determines that a waiver or authorization from a
22 federal agency is necessary for implementation of that provision,
23 the agency affected by the provision shall request the waiver or
24 authorization and may delay implementing that provision until the

1 waiver or authorization is granted.

2 SECTION 4. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2021.