

SENATE AMENDMENTS

2nd Printing

By: White, Guillen

H.B. No. 1664

A BILL TO BE ENTITLED

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 any provision of this Act
a state agency determines that a waiver or authorization from a
federal agency is necessary for implementation of that provision,
the agency affected by the provision shall request the waiver or
authorization and may delay implementing that provision until the

1 waiver or authorization is granted.

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

ADOPTED

MAY 24 2021

Ratsy Law
Secretary of the Senate

By: Eckhardt

H.B. No. 1664

Substitute the following for H.B. No. 1664:

By: Anna Compton

C.S.H.B. No. 1664

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

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

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

7 Sec. 32.0264. SUSPENSION AND [~~AUTOMATIC~~] REINSTATEMENT OF
8 ELIGIBILITY FOR CHILDREN IN JUVENILE FACILITIES.

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

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

20 SECTION 3. If before implementing Section 32.0264(b-1),
21 Human Resources Code, as added by this Act, the Health and Human
22 Services Commission determines that a memorandum of understanding
23 between the commission and the Texas Juvenile Justice Department or
24 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.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 26, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1664 by White (Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 32 of the Human Resources Code to require that when a child placed in a juvenile facility is hospitalized or becomes an inpatient in another type of medical facility, the Health and Human Services Commission (HHSC) reinstate the child's Medicaid eligibility. This analysis assumes there would be a minimal cost to HHSC associated with implementing the provisions of the bill that could be absorbed within current resources. Additionally, it is assumed that any costs to HHSC for Medicaid client services would be offset by cost savings at the Texas Juvenile Justice Department.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Hlth & Human Svcs Comm, 644 Juvenile Justice Department

LBB Staff: JMc, SD, AKI, RD, JLI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 22, 2021

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1664 by White (Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 32 of the Human Resources Code to require that when a child placed in a juvenile facility is hospitalized or becomes an inpatient in another type of medical facility, the Health and Human Services Commission (HHSC) reinstate the child's Medicaid eligibility. This analysis assumes there would be a minimal cost to HHSC associated with implementing the provisions of the bill that could be absorbed within current resources. Additionally, it is assumed that any costs to HHSC for Medicaid client services would be offset by cost savings at the Texas Juvenile Justice Department.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Hlth & Human Svcs Comm, 644 Juvenile Justice Department

LBB Staff: JMc, AKI, RD, JLI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 20, 2021

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1664 by White (Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 32 of the Human Resources Code to require that when a child placed in a juvenile facility is hospitalized or becomes an inpatient in another type of medical facility, the Health and Human Services Commission (HHSC) reinstate the child's Medicaid eligibility. This analysis assumes there would be a minimal cost to HHSC associated with implementing the provisions of the bill that could be absorbed within current resources. Additionally, it is assumed that any costs to HHSC for Medicaid client services would be offset by cost savings at the Texas Juvenile Justice Department.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Hlth & Human Svcs Comm, 644 Juvenile Justice Department

LBB Staff: JMc, AKI, RD, JLI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 18, 2021

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1664 by White (Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 32 of the Human Resources Code to require that when a child placed in a juvenile facility is hospitalized or becomes an inpatient in another type of medical facility, the Health and Human Services Commission (HHSC) reinstate the child's Medicaid eligibility. This analysis assumes there would be a minimal cost to HHSC associated with implementing the provisions of the bill that could be absorbed within current resources. Additionally, it is assumed that any costs to HHSC for Medicaid client services would be offset by cost savings at the Texas Juvenile Justice Department.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Hlth & Human Svcs Comm, 644 Juvenile Justice Department

LBB Staff: JMc, AKI, JLI, RD