88R2378 KKR-D

By:  Alvarado, et al. S.B. No. 124

A BILL TO BE ENTITLED

AN ACT

relating to the Medicaid eligibility of certain women during and following a pregnancy.

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

SECTION 1.  Section 32.024(l-1), Human Resources Code, is amended to read as follows:

(l-1)  The commission shall continue to provide medical assistance to a woman who is eligible for medical assistance for pregnant women for a period of not less than 12 [~~six~~] months following the last month of the woman's pregnancy. The commission shall actively seek, apply for, accept, and spend any federal money that is available to implement this subsection, including any additional money received as a result of an increase in the federal medical assistance percentage (FMAP) [~~date the woman delivers or experiences an involuntary miscarriage~~].

SECTION 2.  Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02472 to read as follows:

Sec. 32.02472.  ELIGIBILITY OF CERTAIN PREGNANT WOMEN LAWFULLY PRESENT IN THE UNITED STATES. To the extent allowed by federal law, the commission shall provide medical assistance for pregnant women to an individual who is pregnant and is lawfully present in the United States, 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 individual entered the United States.

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 waiver or authorization is granted.

SECTION 4.  This Act takes effect September 1, 2023.