

## **BILL ANALYSIS**

C.S.H.B. 321  
By: Bucy  
Public Health  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that health insurance is critical for ensuring access to healthcare to Texas children but Texas leads the nation in both the number and the rate of uninsured children, and there is an urgent need to address barriers to initial enrollment for coverage and to empower parents to make decisions about their children's access to healthcare. According to a report by the Georgetown University Center for Children and Families, one in five uninsured children in the country live in Texas, and KFF found that in 2023 Texas' rate of uninsured children was 11.8 percent, more than double the United States' average of 5.3 percent for the same year. C.S.H.B. 321 seeks to address this issue by leveraging existing data and resources to offer enrollment in CHIP or Medicaid to currently eligible but unenrolled children in Texas while leaving the state's Medicaid and CHIP eligibility requirements unchanged.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 321 amends the Health and Safety Code and the Human Resources Code to require the Health and Human Services Commission (HHSC), in accordance with applicable federal law, to implement an express lane option under which HHSC evaluates data received from an applicant under SNAP in determining a child's eligibility for coverage under CHIP and a child's eligibility for Medicaid benefits. The bill provides the following:

- in determining a child's eligibility for coverage under CHIP or for Medicaid benefits, as applicable, using the express lane option, HHSC must open a new case to ensure there is no delay in providing benefits to the child under SNAP;
- on determining that a child is eligible for coverage under CHIP or Medicaid benefits, as applicable, HHSC must enroll the child in Medicaid or CHIP in accordance with appropriate federal law if HHSC:
  - provides notice of the determination to the child's parent, legal guardian, or custodial relative; and
  - obtains the affirmative consent of the child's parent, legal guardian, or custodial relative to enroll the child; and
- HHSC must provide the required notice in the manner a child's parent, legal guardian, or custodial relative indicates as the preferred method of contact when applying for SNAP benefits.

C.S.H.B. 321 authorizes HHSC to provide the notice orally, by telephone, in writing, including by electronic signature or in an application for SNAP benefits, if applicable, or by any other manner HHSC determines appropriate if a preferred method of contact is not indicated. The bill provides the following with respect to HHSC in obtaining the affirmative consent of a child's parent, legal guardian, or custodial relative:

- HHSC must ensure the consent is provided:
  - within a reasonable amount of time, as determined by HHSC; and
  - in accordance with identity verification standards HHSC establishes; and
- HHSC may obtain the consent orally, by telephone, in writing, including by electronic signature or fax, or during an initial eligibility or recertification interview for SNAP.

C.S.H.B. 321 authorizes HHSC to verify income using the verification process provided by the bill's provisions for purposes of eligibility for coverage under CHIP. The bill gives HHSC the option of obtaining information needed to verify eligibility for Medicaid coverage in the manner provided by the bill's provisions as an alternative to requiring the executive commissioner to permit a recertification review of the eligibility and need for Medicaid coverage for a child under 19 years of age. If before implementing any provision of the bill 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 must request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

#### **EFFECTIVE DATE**

September 1, 2025.

#### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

C.S.H.B. 321 differs from the introduced only by including a Texas Legislative Council draft number in the footer.