

By: Noble

H.B. No. 2865

Substitute the following for H.B. No. 2865:

By: Hull

C.S.H.B. No. 2865

A BILL TO BE ENTITLED

AN ACT

relating to conducting an ex parte renewal of a recipient's Medicaid eligibility.

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

SECTION 1. Subchapter J, Chapter 532, Government Code, as effective April 1, 2025, is amended by adding Section 532.0456 to read as follows:

Sec. 532.0456. EX PARTE RENEWALS PROHIBITED. (a) In this section:

(1) "Ex parte renewal" means a redetermination of a recipient's Medicaid eligibility that is conducted automatically without requiring information from the recipient using information from verifiable electronic data sources or that is otherwise available to the commission.

(2) "Public assistance program" means a program to provide benefits to persons based on need that is administered by the commission and established under Subtitle C, Title 2, Human Resources Code, or other law.

(b) Except as expressly required by federal law, the commission or a state agency that administers any part of Medicaid may not accept information provided by a recipient in an application for benefits under another public assistance program, including the supplemental nutrition assistance program established under Chapter 33, Human Resources Code, as verifiable

1 electronic data for purposes of conducting an ex parte renewal of  
2 the recipient's Medicaid eligibility.

3 (c) This section does not prohibit the commission or a state  
4 agency that administers any part of Medicaid from receiving,  
5 reviewing, and, if appropriate, conducting a redetermination of a  
6 recipient's Medicaid eligibility based on information provided in  
7 an application described by Subsection (b) that indicates a change  
8 in circumstances that may affect the recipient's Medicaid  
9 eligibility.

10 SECTION 2. Not later than the 180th day after the effective  
11 date of this Act, the Health and Human Services Commission shall  
12 seek any waiver or authorization from a federal agency necessary to  
13 implement Section 532.0456, Government Code, as added by this Act.  
14 The commission may delay implementing that section until the waiver  
15 or authorization is granted.

16 SECTION 3. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2025.