

By: Noble

H.B. No. 2865

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on 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, "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.

(b) Except as expressly required by federal law, the commission or a state agency that administers any part of Medicaid may not conduct an ex parte renewal of a recipient's Medicaid eligibility.

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

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2025.