

By: Manuel

H.B. No. 3747

Substitute the following for H.B. No. 3747:

By: Hull

C.S.H.B. No. 3747

A BILL TO BE ENTITLED

AN ACT

relating to allowing Medicaid managed care organizations to engage in marketing about the availability of certain private health benefit plan coverage.

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

SECTION 1. Section 540.0055, Government Code, as effective April 1, 2025, is amended by adding Subsection (c) to read as follows:

(c) The marketing guidelines the commission establishes under this section may not prohibit a Medicaid managed care organization from:

(1) informing an individual, including a current or former recipient, about the availability of qualified health plans offered through an exchange, as the terms "exchange" and "qualified health plan" are defined by 45 C.F.R. Section 155.20; or

(2) advertising a Medicare Advantage plan or related benefit offered under Part C of Title XVIII of the Social Security Act (42 U.S.C. Section 1395w-21 et seq.) at a community enrollment or other event.

SECTION 2. 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

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1 waiver or authorization is granted.

2 SECTION 3. This Act takes effect September 1, 2025.