By: Bernal H.B. No. 1111

A BILL TO BE ENTITLED

AN ACT

relating to the expansion of eligibility for Medicaid in certain counties under the federal Patient Protection and Affordable Care Act.

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

SECTION 1. Subtitle I, Title 4, Government Code, is amended by adding Chapter 540 to read as follows:

CHAPTER 540. FEDERAL WAIVER TO EXPAND MEDICAID IN CERTAIN COUNTIES

Sec. 540.0001. DEFINITION. Notwithstanding Section 531.001, in this chapter, "Medicaid" means the medical assistance program established under Title XIX, Social Security Act (42 U.S.C. Section 1396 et seq.).

Sec. 540.0002. FEDERAL AUTHORIZATION FOR MEDICAID EXPANSION IN CERTAIN COUNTIES. (a) On a county's request and notwithstanding any other law, the executive commissioner shall, on the county's behalf, seek a waiver under Section 1115 of the Social Security Act (42 U.S.C. Section 1315) to the state Medicaid plan to expand the categories of individuals eligible for Medicaid benefits by allowing the county to provide Medicaid benefits to any resident of the county:

(1) who is not otherwise eligible to receive Medicaid benefits under the program established under Chapter 32, Human Resources Code, and operated by this state, including through a waiver, other than a waiver sought under this section, to the

program;

(2) who applies to receive Medicaid benefits; and

(3) for whom federal matching funds are available under the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152) to provide Medicaid benefits.

(b) The terms of a waiver under this section must:

(1) specify how, and with the assistance of what entities, the county will implement and operate a delivery system for the provision of Medicaid benefits to individuals described by Subsection (a);

(2) specify the commission's role in facilitating the provision of those Medicaid benefits;

(3) identify the sources of money to be used to pay this state's share of the cost of Medicaid benefits the county provides;

(4) establish qualifications for an individual to be considered a resident of the county for purposes of receiving Medicaid benefits from the county; and

(5) if appropriate, prescribe changes to the commission's eligibility determination process for Medicaid benefits to accommodate the expanded categories of individuals eligible to receive Medicaid benefits from the county.

(c) The executive commissioner shall adopt rules necessary to implement this section.

SECTION 2. Not later than December 1, 2027, the executive commissioner of the Health and Human Services Commission shall

adopt rules necessary to implement Section 540.0002, Government Code, as added by this Act, including rules that specify procedures by which a county may request that the executive commissioner seek a waiver under that section.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2027.