By: Reynolds H.B. No. 1247

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Chapter 32, Human Resources Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. EXPANSION OF ELIGIBILITY FOR MEDICAL ASSISTANCE

Sec. 32.351. EXPANDED ELIGIBILITY FOR MEDICAL ASSISTANCE UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT. (a) Notwithstanding any other law, the commission shall provide medical assistance to all individuals who apply for that assistance and 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 that assistance.

(b) The executive commissioner shall adopt rules regarding the provision of medical assistance as required by this section.

Sec. 32.352. ANNUAL REPORT ON EXPANDED ELIGIBILITY FOR MEDICAL ASSISTANCE. Not later than December 1 of each year, the commission shall report to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committees of the senate and the house of representatives having primary jurisdiction over the medical assistance program on the

effects of expanding eligibility for medical assistance under Section 32.351, including the effects on:

(1) the number of individuals in this state who do not have health benefits coverage;

(2) state health care costs, including costs relating to programs funded with money appropriated out of the general revenue fund;

(3) local health care costs; and

(4) charity care and uncompensated care costs for hospitals.

SECTION 2. Section 32.351, Human Resources Code, as added by this Act, applies only to an initial determination or recertification of eligibility of an individual for medical assistance under Chapter 32, Human Resources Code, made on or after January 1, 2028, regardless of the date the individual applied for that assistance.

SECTION 3. As soon as possible after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall take all necessary actions to expand eligibility for medical assistance under Chapter 32, Human Resources Code, in accordance with Section 32.351, Human Resources Code, as added by this Act, including notifying appropriate federal agencies of that expanded eligibility. If before implementing any provision of this Act a state agency determines that any other 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 waiver or authorization is granted.

SECTION 4. This Act takes effect January 1, 2028, but only if the constitutional amendment proposed by the 90th Legislature, Regular Session, 2027, requiring the state to expand eligibility for Medicaid to all individuals for whom federal matching funds are available under the federal Patient Protection and Affordable Care Act is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.