

## **BILL ANALYSIS**

Senate Research Center  
77R502 KKA-D

S.B. 374  
By: Moncrief  
Health & Human Services  
3/6/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, eligibility for the Children's Health Insurance Program (CHIP) is subject to periodic review, which can be burdensome for families trying to get health coverage for their children. As proposed, S.B. 374 provides continuous eligibility to guarantee coverage for 12 months from the date of eligibility for children 19 and under, regardless of changes in family income or other resources during that period.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Health and Human Services Commission or an agency operating part of the medical assistance program, as appropriate, in SECTION 1 (Section 32.0261, Human Resources Code) and SECTION 3 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 32B, Human Resources Code, to add Section 32.0261, as follows:

Sec. 32.0261. CONTINUOUS ELIGIBILITY. Requires the Health and Human Services Commission or an agency operating part of the medical assistance program, as appropriate, (department) to adopt rules in accordance with 42 U.S.C. Section 1396a(e)(12), as amended, to provide for a period of continuous eligibility for a child under 19 years of age who is determined to be eligible for medical assistance under this chapter. Requires the rules to provide that the child remains eligible for medical assistance, without additional review by the department and regardless of changes in the child's resources or income, until the earlier of: the first anniversary of the date on which the child's eligibility was determined or the child's 19th birthday.

SECTION 2. Requires the department, if before implementing any provision of this Act it determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, to request the waiver or authorization and authorizes the department to delay implementing that provision until the waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2001.

Requires the department to adopt rules required by Section 32.0261, Human Resources Code, as added by this Act, not later than October 1, 2001. Requires the rules to provide for a period of continuous eligibility in accordance with that section for a child whose initial or continued eligibility is determined on or after the effective date of the rules.