

BILL ANALYSIS

Senate Research Center
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S.B. 43
By: Zaffirini
Health & Human Services
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DIGEST AND PURPOSE

Currently, the application and eligibility process for children's Medicaid requires an assets test and a face-to-face interview. As proposed, S.B. 43 eliminates these requirements to streamline the process and provide for continuous medical assistance eligibility when children are transitioning from Medicaid to CHIP or to private insurers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Health and Human Services Commission or an agency operating part of the medical assistance program in SECTION 3 (Section 32.0261), and in SECTION 6, of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.025, Human Resources Code, by adding Subsections (d) and (e) to require the Health and Human Services Commission (department) or an agency operating part of the medical assistance program to adopt application forms and procedures for a request, which can be conducted by mail instead of through a personal appearance at a department office, for medical assistance provided to a child under 19 years of age that are similar to the application forms and procedures adopted under Section 62.103 (Application Form and Procedures), Health and Safety Code. Require the department to permit an application requesting medical assistance for a child under 19 years of age to be conducted by mail instead of through a personal appearance at a department office.

SECTION 2. Amends Section 32.026, Human Resources Code, by adding Subsections (d) and (e) to require the department to ensure that documentation and verification procedures, used in determining and certifying the eligibility and need for medical assistance of a child under 19 years of age, are similar to the documentation and verification procedures used to determine a child's eligibility for coverage under Chapter 62 (Child Health Plan for Certain Low-Income Children), Health and Safety Code; and requires the department to permit a recertification review of the eligibility and need for medical assistance of a child under 19 years of age to be conducted by telephone or mail instead of through a personal appearance at a department office.

SECTION 3. Amends Chapter 32B, Human Resources Code, by adding Section 32.0261, as follows:

Sec. 32.0261. CONTINUOUS ELIGIBILITY. Requires the department to adopt rules in accordance with 42. U.S.C. Section 1396a (e)(12), to provide for a period for continuous eligibility for a child under 19 years of age and requires the child to remain 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: first anniversary of the date on which the child's eligibility was determined, or the child's 19th birthday.

SECTION 4. Amends Chapter 32B, Human Resources Code, by adding Section 32.02415, as follows:

Sec. 32.02415. EXCLUSION OF ASSETS AND RESOURCES. Prohibits the department from considering the assets and resources of a child under 19 years of age, the child's parents or other caretakers of the child, for purposes of determining the child's eligibility for medical assistance.

SECTION 5. Requires a state agency to request the waiver or authorization and delay implementing that provision until the waiver or authorization is granted, if a state agency determines that a waiver or authorization from a federal agency is necessary for implementation.

SECTION 6. Effective date: September 1, 2001.

Requires the department or appropriate state agency operating part of the medical assistance program to adopt rules required by Section 32.0261, Human Resources Code, as added by this Act, not later than October 1, 2001.