

BILL ANALYSIS

Senate Research Center

H.B. 1630
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, when youth who receive health care coverage through Medicaid or the Children's Health Insurance Program (CHIP) are placed, detained, or committed to a facility, such as the Texas Youth Commission or a juvenile detention facility, that facility is responsible for providing health care to the youth and their eligibility for Medicaid or CHIP is terminated.

Juveniles who were previously enrolled in CHIP or Medicaid and who are transitioning out of a juvenile detention facility or the Texas Youth Commission often experience gaps in coverage and, therefore, gaps in health care services as they are required to reapply for coverage.

H.B. 1630 amends current law relating to the eligibility of certain individuals for child health plan coverage or medical assistance on release from certain facilities or other settings.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of Health and Human Services in SECTION 1 (Section 531.02418, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.02418, as follows:

Sec. 531.02418. MEDICAID AND CHILD HEALTH PLAN PROGRAM ELIGIBILITY DETERMINATIONS FOR CERTAIN INDIVIDUALS. (a) Requires the Health and Human Services Commission (HHSC) to enter into a memorandum of understanding with the Texas Youth Commission (TYC) to ensure that each individual who is committed under Title 3 (Juvenile Justice Code), Family Code, is assessed by HHSC for eligibility for the medical assistance program under Chapter 32 (Medical Assistance Program), Human Resources Code, and the child health plan program before that individual's release from commitment.

(b) Requires HHSC to enter into a memorandum of understanding with the Texas Juvenile Probation Commission (TJPC) to ensure that each individual who is placed or detained under Title 3, Family Code, is assessed by HHSC for eligibility for the medical assistance program under Chapter 32, Human Resources Code, and the child health plan program before the individual's release from placement or detention. Provides that local juvenile probation departments are subject to the requirements of the memorandum.

(c) Requires that each memorandum of understanding entered into as required by this section specify the information that is required to be provided to HHSC; the process by which and time frame within which the information is required to be provided; and the roles and responsibilities of all parties to the memorandum, which are required to include a requirement that HHSC pursue the actions needed to complete eligibility applications as necessary.

(d) Requires that each memorandum of understanding required by Subsection (a) or (b) be tailored to achieve the goal of ensuring that an individual described by Subsection (a) or (b) who is determined eligible by HHSC for coverage under the

medical assistance program under Chapter 32, Human Resources Code, or the child health plan program, is enrolled in the program for which the individual is eligible and may begin receiving services through the program as soon as possible after the eligibility determination is made, and, if possible, to achieve the goal of ensuring that the individual may begin receiving those services on the date of the individual's release from placement, detention, or commitment.

(e) Authorizes the executive commissioner of HHSC to adopt rules as necessary to implement this section.

SECTION 2. (a) Requires HHSC and TYC to enter into the memorandum of understanding required by Section 531.02418(a), Government Code, as added by this Act, not later than October 1, 2009.

(b) Requires HHSC and TJPC to enter into the memorandum of understanding required by Section 531.02418(b), Government Code, as added by this Act, not later than October 1, 2009.

SECTION 3. Requires HHSC, if federal legislation is enacted and becomes law, or federal regulations, rules, or other administrative guidelines are adopted that authorize this state to implement streamlined procedures applicable to assessments of individuals for the medical assistance program under Chapter 32, Human Resources Code, or the child health plan program under Chapter 62 (Child Health Plan for Certain Low-Income Children), Health and Safety Code, as described by Section 531.02418, Government Code, as added by this Act, to implement those procedures as soon as practicable.

SECTION 4. Effective date: upon passage or September 1, 2009.