



FLOOR AMENDMENT NO. \_\_\_\_\_

BY: *D. Seun*

1 Amend C.S.H.B. No. 2962 by adding the following appropriately  
2 numbered SECTION to the bill and renumbering subsequent SECTIONS of  
3 the bill accordingly:

4 SECTION \_\_\_\_\_. (a) In this section:

5 (1) "Commission" means the Health and Human Services  
6 Commission.

7 (2) "Executive commissioner" means the executive  
8 commissioner of the Health and Human Services Commission.

9 (3) "FMAP" means the federal medical assistance  
10 percentage by which state expenditures under the Medicaid program  
11 are matched with federal funds.

12 (4) "Medicaid program" means the medical assistance  
13 program under Chapter 32, Human Resources Code.

14 (b) Notwithstanding Section 32.0261, Human Resources Code,  
15 and subject to Subsection (c) of this section and availability of  
16 appropriated funds, rules adopted by the executive commissioner  
17 under Section 32.0261, Human Resources Code, providing for a period  
18 of continuous eligibility under the Medicaid program during the  
19 state fiscal biennium beginning September 1, 2009, for a child  
20 under 19 years of age who is determined eligible for Medicaid shall  
21 provide that the child remains eligible, without additional review  
22 and regardless of changes in the child's resources or income, until  
23 the earlier of:

24 (1) the first anniversary of the date the child's  
25 eligibility was determined; or

26 (2) the child's 19th birthday.

27 (c) The executive commissioner is required to adopt rules  
28 providing for a period of continuous eligibility prescribed by  
29 Subsection (b) of this section only if:

1           (1) for any portion of the period beginning September  
2 1, 2009, and ending December 31, 2010:

3           (A) this state's FMAP is increased as authorized  
4 by Section 5001(c), American Recovery and Reinvestment Act of 2009  
5 (Pub. L. No. 111-5); and

6           (B) the applicable percent used in computing that  
7 increase is the percent specified in Section 5001(c)(3)(A)(ii) or  
8 (iii), American Recovery and Reinvestment Act of 2009 (Pub. L. No.  
9 111-5); and

10           (2) the receipt by this state of federal funds  
11 resulting from the increased FMAP described by Subdivision (1) of  
12 this subsection results in general revenue funds otherwise  
13 appropriated to the commission becoming available for the purposes  
14 of this section.

15           (d) The commission:

16           (1) may use appropriated funds that become available  
17 as described by Subsection (c)(2) of this section for purposes of  
18 this section; and

19           (2) is not required to obtain prior approval from the  
20 governor, the Legislative Budget Board, or any other person or  
21 entity to use those funds for purposes of this section.