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H.B. No. 3292

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the continuation of medical assistance for certain
3 individuals.

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

5 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,
6 is amended by adding Section 32.0256 to read as follows:

7 Sec. 32.0256. CONTINUATION OF MEDICAL ASSISTANCE FOR
8 CERTAIN INDIVIDUALS. (a) A recipient described by Section
9 32.025(a) who experiences a temporary increase in income of a
10 duration of one month or less that would result in the recipient
11 being ineligible for medical assistance continues to be eligible
12 for that assistance if the individual:

13 (1) either:

14 (A) receives services through a program for
15 individuals with an intellectual or developmental disability
16 authorized under Section 1915(c), Social Security Act (42 U.S.C.
17 Section 1396n(c)); or

18 (B) resides in an ICF-IID facility; and

19 (2) continues to meet the functional and diagnostic
20 criteria for the receipt of services under a program described by
21 Subdivision (1)(A) or for residency in an ICF-IID facility.

22 (b) To continue to be eligible for medical assistance, a
23 recipient described by Subsection (a) must submit an application
24 for medical assistance in accordance with Section 32.025(b) not

1 later than the 90th day after the date on which the recipient is
2 determined ineligible.

3 SECTION 2. If before implementing any provision of this Act
4 a state agency determines that a waiver or authorization from a
5 federal agency is necessary for implementation of that provision,
6 the agency affected by the provision shall request the waiver or
7 authorization and may delay implementing that provision until the
8 waiver or authorization is granted.

9 SECTION 3. This Act takes effect September 1, 2017.