

1-1 By: White, et al. (Senate Sponsor - Paxton) H.B. No. 72
1-2 (In the Senate - Received from the House May 2, 2019;
1-3 May 3, 2019, read first time and referred to Committee on Health &
1-4 Human Services; May 17, 2019, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Buckingham	X		
1-12	Campbell	X		
1-13	Flores	X		
1-14	Johnson	X		
1-15	Miles	X		
1-16	Powell	X		
1-17	Seliger	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 72 By: Perry

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the provision of Medicaid benefits to certain children
1-22 formerly in the conservatorship of the Department of Family and
1-23 Protective Services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 162.304(b-1), Family Code, is amended to
1-26 read as follows:

1-27 (b-1) Subject to the availability of funds, the department
1-28 shall pay a \$150 subsidy each month for the premiums for health
1-29 benefits coverage for a child with respect to whom a court has
1-30 entered a final order of adoption if the child:

1-31 (1) was in the conservatorship of the department at
1-32 the time of the child's adoptive placement;

1-33 (2) after the adoption, is not receiving ~~[eligible~~
1-34 ~~for]~~ medical assistance under Chapter 32, Human Resources Code; and

1-35 (3) is younger than 18 years of age.

1-36 SECTION 2. Subchapter A, Chapter 533, Government Code, is
1-37 amended by adding Section 533.00531 to read as follows:

1-38 Sec. 533.00531. MEDICAID BENEFITS FOR CERTAIN CHILDREN
1-39 FORMERLY IN FOSTER CARE. (a) This section applies only with
1-40 respect to a child who:

1-41 (1) resides in this state; and

1-42 (2) is eligible for assistance or services under:

1-43 (A) Subchapter D, Chapter 162, Family Code; or

1-44 (B) Subchapter K, Chapter 264, Family Code.

1-45 (b) Except as provided by Subsection (c), the commission
1-46 shall ensure that each child described by Subsection (a) remains or
1-47 is enrolled in the STAR Health program unless or until the child is
1-48 enrolled in another Medicaid managed care program.

1-49 (c) If a child described by Subsection (a) received
1-50 Supplemental Security Income (SSI) (42 U.S.C. Section 1381 et seq.)
1-51 or was receiving Supplemental Security Income before becoming
1-52 eligible for assistance or services under Subchapter D, Chapter
1-53 162, Family Code, or Subchapter K, Chapter 264, Family Code, as
1-54 applicable, the child may receive Medicaid benefits in accordance
1-55 with the program established under this subsection. To the extent
1-56 permitted by federal law, the commission, in consultation with the
1-57 Department of Family and Protective Services, shall develop and
1-58 implement a program that allows the adoptive parent or permanent
1-59 managing conservator of a child described by this subsection to
1-60 elect on behalf of the child to receive or, if applicable, continue

2-1 receiving Medicaid benefits under the:
2-2 (1) STAR Health program; or
2-3 (2) STAR Kids managed care program.

2-4 (d) The commission shall protect the continuity of care for
2-5 each child described under this section and, if applicable, ensure
2-6 coordination between the STAR Health program and any other Medicaid
2-7 managed care program for each child who is transitioning between
2-8 Medicaid managed care programs.

2-9 (e) The executive commissioner shall adopt rules necessary
2-10 to implement this section.

2-11 SECTION 3. Section 162.304(f), Family Code, is repealed.

2-12 SECTION 4. As soon as possible after the effective date of
2-13 this Act, the Health and Human Services Commission shall apply for
2-14 and actively pursue from the federal Centers for Medicare and
2-15 Medicaid Services or other appropriate federal agency any waiver or
2-16 other authorization necessary to implement Section 533.00531,
2-17 Government Code, as added by this Act. The commission may delay
2-18 implementing this Act until the waiver or authorization is granted.

2-19 SECTION 5. The Health and Human Services Commission is
2-20 required to implement a provision of this Act only if the
2-21 legislature appropriates money specifically for that purpose. If
2-22 the legislature does not appropriate money specifically for that
2-23 purpose, the commission may, but is not required to, implement a
2-24 provision of this Act using other appropriations available for that
2-25 purpose.

2-26 SECTION 6. This Act takes effect September 1, 2019.

2-27 * * * * *