

By: Bernal

H.B. No. 3776

A BILL TO BE ENTITLED

AN ACT

relating to establishing a program designed to ensure health benefit plan coverage to certain children through the private marketplace.

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

SECTION 1. Subtitle I, Title 4, Government Code, is amended by adding Chapter 540 to read as follows:

CHAPTER 540. PROGRAM TO ENSURE HEALTH BENEFIT PLAN COVERAGE FOR CERTAIN CHILDREN THROUGH PRIVATE MARKET SOLUTIONS

Sec. 540.0001. DEFINITIONS. In this chapter:

(1) "Child health plan program" means the child health plan program established under Chapter 62, Health and Safety Code.

(2) "Medicaid" means the medical assistance program established under Chapter 32, Human Resources Code.

Sec. 540.0002. PROGRAM FOR HEALTH BENEFIT PLAN COVERAGE FOR CHILDREN THROUGH PRIVATE MARKET SOLUTIONS. Subject to the requirements of this chapter, the commission in consultation with the commissioner of insurance shall develop and implement a program that helps connect certain children in this state with health benefit plan coverage through private market solutions.

Sec. 540.0003. ENROLLMENT ELIGIBILITY. (a) Subject to Subsection (b), a child is eligible to enroll in a program designed and established under this chapter if the child:

(1) is younger than 19 years of age;

1           (2) is not eligible for benefits under Medicaid or the  
2 child health plan program because of applicable income limits; and

3           (3) does not have a health benefit plan because the  
4 child's family does not have access to or cannot afford a plan  
5 through the private marketplace, including:

6                   (A) an employer-sponsored health benefit plan;  
7 or

8                   (B) a health benefit plan for which an enrollee  
9 receives a premium subsidy under the Patient Protection and  
10 Affordable Care Act (Pub. L. No. 111-148) due to the amount of  
11 family income.

12           (b) The executive commissioner shall further define the  
13 eligibility requirements of this section, including defining  
14 income requirements necessary to enroll in the program.

15           Sec. 540.0004. MINIMUM PROGRAM REQUIREMENTS. A program  
16 designed and established under this chapter must:

17                   (1) provide premium assistance to purchase health  
18 benefit plan coverage for a child in the private market; and

19                   (2) use technology to maximize the efficiency with  
20 which the commission and any health benefit plan issuer manages  
21 enrollee participation.

22           Sec. 540.0005. RULES. The executive commissioner may adopt  
23 rules necessary to implement this chapter.

24           SECTION 2. As soon as practicable after the effective date  
25 of this Act, the executive commissioner of the Health and Human  
26 Services Commission shall develop and implement the program  
27 required by Chapter 540, Government Code, as added by this Act.

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

7           SECTION 4. This Act takes effect September 1, 2019.