

BILL ANALYSIS

C.S.H.B. 3151
By: Sheffield
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to interested parties, when multiple children within the same household have different dates for renewal of child health plan program eligibility or different dates for recertification of Medicaid eligibility, the family may be frequently approached by the Health and Human Services Commission to provide additional information to verify income and other terms of eligibility. The parties assert that this process is burdensome and too often results in confusion. C.S.H.B. 3151 seeks to address these concerns by requiring HHSC to develop systematic processes to align such renewal and recertification dates for children in the same household through demonstration projects.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTIONS 1 and 2 of this bill.

ANALYSIS

C.S.H.B. 3151 amends the Health and Safety Code and the Human Resources Code to require the Health and Human Services Commission (HHSC) to establish a demonstration project through the child health plan program (CHIP) and Medicaid, respectively, to allow HHSC to simultaneously renew the eligibility of multiple children within the same household who are eligible for enrollment in CHIP and to allow HHSC, to the greatest extent possible, to develop and test solutions to simultaneously recertify and renew, as applicable, the eligibility of multiple children within the same household who are eligible for Medicaid or for CHIP and verify the household income of all such persons in accordance with the bill's provisions to determine eligibility.

C.S.H.B. 3151 prohibits the CHIP demonstration project from increasing the frequency with which the eligibility of children participating in the demonstration project would otherwise be renewed or with which those children's household incomes are reviewed under statutory provisions requiring the review of the income of an enrollee whose household income exceeds 185 percent of the federal poverty level.

C.S.H.B. 3151 requires the Medicaid demonstration project to include participation by one or more households in each of the following categories: a household with children who are eligible for Medicaid or CHIP, at least one of whom is younger than the age of one; a household with children who are eligible for Medicaid or CHIP, at least some of whom are not siblings; and a household with at least one child who is eligible for Medicaid and at least one child who is

eligible for CHIP. The bill requires HHSC, for the Medicaid demonstration project, to simultaneously verify the household income of all children within the same household participating in the demonstration project not more frequently than twice during each 12-month period, with the first verification occurring before the sixth month following the earliest date that a child within the household was determined to be eligible for Medicaid, and the second verification occurring after that six-month period but before the annual recertification date. The bill authorizes HHSC to establish the Medicaid demonstration project in one or more geographic areas and form partnerships with entities experienced in outreach, application assistance, and enrolling recipients in Medicaid, CHIP, and any other health benefits coverage.

C.S.H.B. 3151 requires the executive commissioner of HHSC to adopt rules necessary to determine the scope of and eligibility for participating in the CHIP and Medicaid demonstration projects. The bill requires HHSC, not later than December 1, 2020, to submit a report to the legislature regarding HHSC progress in establishing and operating each demonstration project and recommendations on continuing or expanding each demonstration project. The bill requires HHSC, to the extent possible, to operate such demonstration projects in conjunction with each other and to implement the demonstration projects not later than September 1, 2018. The bill's provisions expire September 1, 2021.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3151 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter C, Chapter 62, Health and Safety Code, is amended by adding Section 62.1025 to read as follows:

Sec. 62.1025. ELIGIBILITY RENEWAL DEMONSTRATION PROJECT. (a) The commission shall establish a demonstration project through the child health plan program to allow the commission to simultaneously renew the eligibility of multiple children within the same household who are eligible for enrollment in the program.

(b) The executive commissioner shall adopt rules necessary to determine the scope of, and eligibility for participating in, the demonstration project.

(c) The commission shall operate the demonstration project under this section in conjunction with the demonstration project under Section 32.02614, Human Resources Code, if feasible.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter C, Chapter 62, Health and Safety Code, is amended by adding Section 62.1025 to read as follows:

Sec. 62.1025. ELIGIBILITY RENEWAL DEMONSTRATION PROJECT. (a) The commission shall establish a demonstration project through the child health plan program to allow the commission to simultaneously renew the eligibility of multiple children within the same household who are eligible for enrollment in the program.

(b) The executive commissioner shall adopt rules necessary to determine the scope of and eligibility for participating in the demonstration project.

(c) The commission shall, to the extent possible, operate the demonstration project under this section in conjunction with the demonstration project under Section 32.02614, Human Resources Code.

The demonstration project may not increase the frequency with which:

(1) the eligibility of children participating

(d) Not later than December 1, 2020, the commission shall submit a report to the legislature regarding the commission's progress in establishing and operating the demonstration project and recommendations on continuing or expanding the demonstration project.

(e) This section expires September 1, 2021.

SECTION 2. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02614 to read as follows:
Sec. 32.02614. ELIGIBILITY RECERTIFICATION DEMONSTRATION PROJECT.

(a) The commission shall establish a demonstration project through the medical assistance program to allow the commission to simultaneously recertify the eligibility of multiple children within the same household who are eligible for medical assistance under this chapter.

in the demonstration project would otherwise be renewed; or

(2) those children's household incomes are reviewed under Section 62.102(b).

(d) Not later than December 1, 2020, the commission shall submit a report to the legislature regarding the commission's progress in establishing and operating the demonstration project and recommendations on continuing or expanding the demonstration project.

(e) This section expires September 1, 2021.

SECTION 2. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02614 to read as follows:
Sec. 32.02614. ELIGIBILITY RECERTIFICATION DEMONSTRATION PROJECT. (a) In this section, "child health plan program" has the meaning assigned by Section 531.001, Government Code.

(b) The commission shall establish a demonstration project through the medical assistance program to allow the commission, to the greatest extent possible, to develop and test solutions to simultaneously:

(1) recertify and renew, as applicable, the eligibility of multiple children within the same household who are eligible for medical assistance under this chapter or for the child health plan program, including the eligibility of siblings when a child within the household reaches the age of one; and

(2) verify the household income of all persons described by Subdivision (1) in accordance with this section to determine eligibility.

(c) The demonstration project must include participation by one or more households in each of the following categories:

(1) a household with children who are eligible for medical assistance or the child health plan program, at least one of whom is younger than the age of one;

(2) a household with children who are eligible for medical assistance or the child health plan program, at least some of whom are not siblings; and

(3) a household with at least one child who is eligible for medical assistance and at least one child who is eligible for the child health plan program.

(d) The commission shall simultaneously verify the household income of all children

(b) The executive commissioner shall adopt rules necessary to determine the scope of, and eligibility for participating in, the demonstration project.

(c) The commission shall operate the demonstration project under this section in conjunction with the demonstration project under Section 62.1025, Health and Safety Code, if feasible.

(d) Not later than December 1, 2020, the commission shall submit a report to the legislature regarding the commission's progress in establishing and operating the demonstration project and recommendations on continuing or expanding the demonstration project.

(e) This section expires September 1, 2021.

SECTION 3. Not later than September 1, 2018, the Health and Human Services Commission shall implement the eligibility renewal and eligibility recertification demonstration projects required by Section 62.1025, Health and Safety Code, as added by this Act, and Section 32.02614, Human Resources Code, as added by this Act.

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

within the same household participating in the demonstration project not more frequently than twice during each 12-month period, with the first verification occurring before the sixth month following the earliest date that a child within the household was determined to be eligible for the medical assistance program, and the second verification occurring after that six-month period but before the annual recertification date.

(e) The executive commissioner shall adopt rules necessary to determine the scope of and eligibility for participating in the demonstration project.

(f) The commission may establish the demonstration project in one or more geographic areas and form partnerships with entities experienced in outreach, application assistance, and enrolling recipients in the medical assistance program, the child health plan program, and any other health benefits coverage.

(g) The commission shall, to the extent possible, operate the demonstration project under this section in conjunction with the demonstration project under Section 62.1025, Health and Safety Code.

(h) Not later than December 1, 2020, the commission shall submit a report to the legislature regarding the commission's progress in establishing and operating the demonstration project and recommendations on continuing or expanding the demonstration project.

(i) This section expires September 1, 2021.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 5. Same as introduced version.